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## **PERSONNEL POLICIES and PROCEDURES**

### **INTRODUCTION**

This is the May 2001 edition of the Personnel Policies and Procedures (PP&P).

The purpose of the PP&P is to provide employees and supervisors with a source of information about City policies and other information they need during the course of their work. This book also provides information on benefits and regulations affecting management employees of the City who are not represented by a bargaining unit. The policies and procedures herein apply to all City employees - classified, unclassified, management, and union. When union employees are covered by a bargaining unit contract, the union contract language prevails when it is contrary to that which is stated in this manual. If the union contract is silent on an issue, this manual should be followed.

All employees of the City are expected to conduct themselves in a professional and civil manner both with other employees and members of the public. Employees are expected to follow the rules of the City, which are contained in this book, administrative regulations, Civil Service Rules and other rules which are issued by proper authority.

Examples of the responsibilities which City employees are expected to fulfill include:

- Providing input and suggestions to improve the work, and the work place.
- Performing work tasks efficiently and to the established quality and quantity standards.
- Treating members of the public and other employees with courtesy and respect.
- Following all safety rules and maintaining a clean work area.
- Following attendance policies.

It is the City's policy to maintain an Affirmative Action Plan that assures equal employment opportunity. Violations by any employee of the City are considered failure of good behavior and subject to disciplinary action. See the City's Affirmative Action Plan. An EEO complaint procedure, which is administered by the Office of Contract Compliance and Administrative Hearings/EEO Division, is available to those who believe they have been subject to discrimination. Complete information is available from the Office of Contract Compliance and Administrative Hearings/EEO Division.

Supervisors should read this new edition carefully and be aware of the changes that have been made. It is important that these changes are understood and followed.

## **INTRODUCTION (Continued)**

Some of the changes include:

A section on the transfer of sick leave time from previous work with an Ohio public jurisdiction has been updated.

Management can now require employees to use compensatory time for leave; during FMLA leave, management can require employees to use compensatory time before unpaid leave is granted.

In some cases, the delineation of the Civil Service Rules has been eliminated, and the rule is only referenced.

Various sections and sub-sections have been moved to other locations in the manual that are more appropriate to the subject matter covered.

A section on Nepotism has been added.

A new chapter, Chapter 10 – Exit Interview, has been added.

Premiums and choices of health care insurance have been removed from the Employee Benefit chapter with direction to contact the Office of Risk Management for more information.

The various charts in the back of the manual have been updated.

Note that the above is a very brief summary of the changes that have been made to this manual. It is strongly suggested that you thoroughly familiarize yourself with the complete revised edition.

This PP&P will be revised and updated as the need arises. Each employee is a vital part of this process. You are encouraged to provide your comments and insights to assist in making this a better manual. Suggestions should be directed to your departmental Personnel Process Owner in the Human Resources Department.

## **EXPLANATORY NOTES**

Following is a clarification of some key terms or phrases that are used throughout this manual:

1. **Agency** – This term has been used when the responsible level of organization may be either a department or a division of a department depending on the size of the organization.
2. **Non-uniformed Employees** – All City employees other than sworn Fire and Police personnel.
3. **Bargaining Unit** – All employees in Division 1 of the Salary Schedule. Police, Fire, and Building Trades bargaining units are specifically referred to where appropriate.
4. **Divisions of the Salary Schedule** – Where personnel policies, benefits, and rights vary by Division of the Salary Schedule they are so noted. The Divisions of the Salary Schedule are:

Division 0 – Middle Management

Division 1 – Bargaining Unit (AFSCME)

Division 2 – Fire, Police (IAFF, FOP)

Division 3 – Building Crafts (Cincinnati Building Trades Council)

Division 4 – Hourly

Division 5 – Administrative (Department Head or equivalent)

Division 6 – Miscellaneous

Division 7 – Solicitor's Office

Division 8 – Senior Management

Division 9 – Legislative Service

5. **Fair Labor Standards Act (FLSA) Designations** – Exempt employees – Employees who are **not** covered by the FLSA Regulations. Classifications listed in the salary schedule with an X in the FLSA column are exempt. With some exceptions, these are generally classifications in Salary Divisions 0, 5, 7, and 8.

Non-exempt employees – Employees who **are** covered by the FLSA Regulations. Classifications listed in the salary schedule with an N in the FLSA column are non-exempt. With some exceptions, these are generally classifications listed in Salary Divisions 1 and 3.

There are a mixture of exempt and non-exempt Classifications in Salary Divisions 2 and 4, and some classifications in Division 0 are non-exempt.

6. **Appointing Authorities** – Determined by charter or law. Appointing authorities have the authority to hire and discipline employees. Appointing authorities in the City service include:

**City Manager:**

Buildings & Inspections Department  
 City Manager's Office and Divisions  
 City Planning  
 Economic Development  
 Finance Department  
 General Services  
 Human Resources Department  
 Law Department (classified staff only)  
 Neighborhood Services  
 Public Services Department  
 Safety Department  
 Sewer Department  
 Transportation & Engineering Department  
 Water Works Department

**Board of Health:**

Health Department

**City Solicitor:**

Law Department (unclassified staff)

**Park Board:**

Parks Department

**Recreation Commission:**

Recreation Department

To facilitate reading, only the male pronoun “he” or “his” has been used. It does, however, refer equivalently to “she” or “her”.

**IMPORTANT NOTE:** The page numbers shown refer first to the chapter number and then to the page number within the chapter; for example, page 2-4 refers to Chapter 2, page 4.

## **CHAPTER 1 – HOW TO FILL A POSITION**

- 1.1 JOB COMPLEMENT:** Each department has a list of authorized positions called a job complement that is based on the budget. Changes to the complement are officially reported by the Human Resources Department to the Budget Office.
- 1.2 TYPES OF CIVIL SERVICE APPOINTMENTS:** See Civil Service Rule 8.
- 1.3 STEPS TO FILL A POSITION:** Also see Civil Service Rule 8 for information concerning eligible lists and the certification process.
1. To receive a certification list of candidates eligible for appointment, submit Form 8-S (Requisition) to the Human Resources Department.
  2. Once the selection is made Form 8-S must be returned to the Records Section of the Human Resources Department after noting the following information in the “Dates Appointed” column on the form:
    - A. Identify the person to be appointed and his starting date.
    - B. Eligibles who are not appointed but wish to remain on the list – indicate with an “R”.
    - C. Eligibles who fail to appear for the interview and will, therefore, be removed from the list – indicate with an “FTR”.
    - D. Eligibles who decline the present vacancy but wish to remain on the list – indicate with a “DR”.
    - E. Eligibles who are interested in only certain agencies, locations, or shifts – indicate the pertinent information as well as “DR”.
    - F. Eligibles who decline appointment and do not wish to remain on the list – type this information on the list.

For specific, detailed information on new hires and promotions, please refer to “**New Hire Process**” that is on the **CHRIS** Website on the City’s Intranet.

- 1.4 UNCLASSIFIED APPOINTMENTS:** Also see Civil Service Rule 1, Section 10 for additional information concerning unclassified appointments. While no legal requirement exists to publicize the availability of such positions, progressive personnel practice dictates that unclassified employment opportunities be widely announced, where feasible, to City of Cincinnati employees. (Unclassified appointments may be made to Division 4 and 5, student, and other senior positions as approved by the Civil Service Commission.)
1. **Rights, benefits, and responsibilities:** An unclassified employee generally enjoys all rights and benefits and is subject to the same obligations and responsibilities as classified employees with certain specific exceptions, as follows:



#### 1.4 UNCLASSIFIED APPOINTMENTS: (Continued)

- A. **Promotional examinations** – Not eligible to compete.
- B. **Performance ratings** – Are provided and forwarded to the Human Resources Department. Such performance reports are not part of the Civil Service system.
- C. **Probation** – None required.
- D. **Right of appeal from dismissal or other disciplinary action** – No right of appeal to the Civil Service Commission. If it becomes necessary to terminate an unclassified employee for disciplinary reasons, termination should be noted via the CHRIS System.

Unclassified employees may pursue remedies through the EEO process, and the administrative regulations regarding the resolution of employee concerns. See Chart II (Employee Benefits) and Chart IV (Conditions of Employment) in the back of this manual.

#### 2. **Transfer of employee from classified to unclassified status:**

- A. The classified employee must consent in writing to the change to unclassified status, and that he understands he is no longer “classified”, and thus no longer enjoys all of the same rights and benefits as classified employees. The change from classified to unclassified must then be entered into CHRIS by the Agency.
3. **Hours worked:** Division 4 (hourly) employees may not work more than 1,560 hours on an annualized basis.

#### 1.5 **PRE-EMPLOYMENT AND REINSTATEMENT PHYSICAL EXAM:**

No new employee can start work before the Employee Health Service certifies that the employee has passed the required physical examination. Physical examinations are also required for employees who are reinstated following a medical separation; such employees must be certified by the City Physician as medically fit to return to their former position before they start work. Employees restored to service following military duty must pass a pre-employment physical examination by the City Physician.

1. Call the Employee Health Service to make an appointment.

## **1.5 PRE-EMPLOYMENT AND REINSTATEMENT PHYSICAL EXAM: (Continued)**

2. On Form 29-S (Medical Examination Record), fill in the applicant's name and department. The applicant should then complete the first two pages of the form and take it with him to the City Physician.
3. **Exceptions:**
  - A. Reinstated employees restored within one year of resignation are not required to take another physical. Although Reinstatement Physicals are not required in the following instances, the agency does reserve the right to require both a Reinstatement Physical and negative drug screen.
  - B. Seasonal employees who are being recalled or appointed to permanent service are not required to take a physical examination at the time of their recall or appointment to permanent service.
  - C. Under the Americans with Disabilities Act of 1990, once a conditional offer of employment has been made, it is unlawful to then deny a person employment because of evidence of past substance abuse, without convincing evidence of current illegal drug use. A positive drug screen would be considered convincing evidence. In addition, the mere existence of a condition covered under the ADA may not be the basis for any employment decision unless it can be established that the condition creates a direct threat to the safety of the disabled person or others that cannot be eliminated by reasonable accommodation.
4. Questions on the pre-employment physical examination process should be directed to the Office of Risk Management.

## **1.6 REINSTATEMENT:** Also see Civil Service Rule 12 for recall from layoff

1. **Following Voluntary Resignation:** A former employee who resigned in good standing may request reinstatement within one year of the resignation pursuant to the provisions in Civil Service Rules and the union contract.

**Police and Fire exceptions:** A sworn member of the Police or Fire who voluntarily resigns his position may be reinstated but only to the rank of firefighter or police officer, regardless of the rank held at the time of resignation.

## 1.6 REINSTATEMENT: (Continued)

2. **Following Separation for Medical Reasons:** An employee who is separated for medical reasons must be restored to the same or similar position within three years if he is now medically able to perform the duties of his former job. Police and Fire Officers must be restored within five years.
3. **Restoration from Military Service:** An employee who leaves his employment to enter military service voluntarily must be restored to his former position under the following conditions:
  - A. He must request restoration within 90 days after having received an honorable discharge or general discharge;
  - B. He must be restored within 30 days after the request is filed.
  - C. He must pass a pre-employment physical examination;
  - D. His total military service performed between 6/24/48 and 8/1/61 does not exceed four years, and the total of any service, additional or otherwise performed after 8/1/61 does not exceed five years, and if the service in excess of four years after 8/1/61, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law.)

Members of a reserve component of the Armed Forces of the United States who voluntarily or involuntarily leave City employment to enter active duty, other than for determining physical fitness or training, or whose active duty is voluntarily or involuntarily extended during a period of war or national emergency, are entitled to extension of other service limitation period governing eligibility for re-employment for the period of active duty, not to exceed 24 months. Any member of a reserve component of the Armed Forces of the United States who voluntarily enters or extends his period of active duty retains his right to re-employment only when such duty is at the request of the Federal Government.

4. **Rights and Benefits:** A reinstated employee retains certain rights and benefits but forfeits others depending on the reason for reinstatement.
  - A. **Vacation seniority** – The reinstated employee is given credit for previous City employment when establishing a vacation seniority date.
  - B. **Longevity pay seniority** – starts anew from date of reinstatement except for those who are being restored from military service, layoff, or retiree hired for different job with no break in service.

## 1.6 REINSTATEMENT: (Continued)

C. **Eligibility for merit increases** – starts anew from date of reinstatement except for those restored from military service who received credit for the entire time spent in the military and those restored from layoff who received credit for time worked on the salary step prior to layoff.

D. **Pay Step** – Salary may be the same step or rate as or any lower step than the step the person was receiving at the time of resignation or separation for medical reasons.

Employees being recalled from layoff are placed on the same salary step or rate that they were on at the time of layoff. Employees being restored from military service are to be placed on the salary step or rate that they would have achieved had they remained in City service.

E. **Health Insurance** – Salary Division 1 employees must serve a six-month waiting period except for those being restored from military service or recalled from layoff. Salary Divisions 0, 5, 7, 8 and 9: health insurance becomes effective on the date of reinstatement. Co-pay status will be determined by date of most recent hire.

F. **Sick leave credit** – employee credited with prior unused sick leave balance.

G. **Probation** – no new probationary period is required for the position into which they have been reinstated.

## 1.7 TRANSFERS/REASSIGNMENTS:

1. Intra-agency transfers are considered reassignments and may be made at the discretion of the agency head.
2. Inter-agency transfers: See Civil Service Rule 11 for the conditions under which an employee may transfer from one agency to another. Civil Service Commission approval is necessary for all transfers. Certain restrictions apply to transfers of Division 1 employees: see AFSCME Labor-Management agreement.
3. Transfer procedure:
  - A. The agency accepting the transferring employee must notify the employee's current agency. If a mutually acceptable transfer date cannot be agreed upon, the employee will transfer effective the first day of the third pay period after the current pay period. For example, if the current pay period is #18 then the employee would be transferred effective pay period #21.

## **1.7 TRANSFERS/REASSIGNMENTS: (Continued)**

The employee does not serve a new probationary period.

- B. The employee's new agency will make the necessary change via CHRIS to add the transferring employee to their payroll. The employee should sign the necessary papers to indicate his acceptance of the transfer if the action involves a voluntary demotion. No payroll action is necessary by the agency that is losing the transferring employee. No employee may appear on two different payrolls at the same time. (See CHRIS procedure, "Position Change/Promotion Processes")

Agreement should be reached on the disposition of accrued vacation and compensatory time before the effective date of the transfer.

## **1.8 PROMOTIONS:**

1. See Civil Service Rule 8 for the proper Civil Service procedures to follow in selecting an employee for promotion.
2. Promotion Procedure:
  - A. If the employee being promoted is from a different agency, that agency must be notified by the agency receiving the promoted employee. The promotion must be made at the beginning of the next pay period, providing there is a minimum of five days from the date the employee accepts the promotion and when they start work in the new agency.
  - B. An employee may remain in the previous agency for a longer period if agreed to by both agencies involved; however, the employee must be promoted and receive the higher pay. The probation period starts immediately at promotion.
  - C. The employee's new agency must make the necessary changes in the CHRIS system to add the promoted employee to their payroll. No action is necessary by the agency that is losing the promoted employee. (See CHRIS procedure, "Position Change/Promotion Process")

## **1.9 ORIENTATION OF NEW EMPLOYEES:**

It is the responsibility of the department to ensure that new employees are registered for the first New Employee Orientation session offered by the Human Resources Department following the employee's appointment. The supervisor is responsible for providing and explaining the following material to new employees on their first day of work:

1. Personnel Policies and Procedures, Chapter 2 "Conditions of Employment."
2. Personnel Policies and Procedures, Chapter 3 "Employee Benefits."
3. Personnel Policies and Procedures, Chapter 4 "Performance Ratings and Probation" and Civil Service Rule X.
4. Personnel Policies and Procedures Chapter 5 "Discipline" and Civil Service Rule XVI and XVII.
5. Ohio Code of Ethics. The City of Cincinnati follows the State of Ohio Code of Ethics requirements.
  - A. All officials and employees must conduct themselves in a manner suitable with their own best interest and those of the City.
  - B. The method for resolution of possible conflicts of interest is as follows:
    1. Refer the question to the Law Department for an opinion about the issue (does it violate the State Code of Ethics). This referral is performed by each department, with input from the affected employee.
    2. If the opinion does not resolve the matter, it should be referred to the Ohio Ethics Commission in Columbus for its review and determination. Under state law, the Commission has the authority to resolve questions about violations of the ethics laws.
  - C. New employees must be given a copy and sign for the State of Ohio Code of Ethics, and have its contents explained to them.
6. Employee Safety Instruction Manual (Green Book)

**1.10 GROUP (DOUBLE) FILLING A POSITION:**

1. Authorization to double/group fill a position is normally approved when needed to continue critical operations or to provide training for an employee scheduled to retire.
2. Submit a written request (including all details) to the management analyst from Budget and Evaluation assigned to the agency with a copy to the Director of Human Resources.
3. If approved, Budget and Evaluation will establish the double/group fill on the agency's Table of Organization in CHRIS.

## **CHAPTER 2 – CONDITIONS OF EMPLOYMENT**

### **2.1 RESIDENCY REQUIREMENT:** (Also see the Administrative Code and Administrative Regulations)

1. All persons, except as noted below, who are employed by the City of Cincinnati must reside within Hamilton County, Ohio.
2. Persons employed in classifications contained in Division 5, the Police and Fire Chiefs, and Division Heads or equivalent must reside within the City of Cincinnati. (This does not apply to MSD employees.) Persons holding division head or division head equivalent positions (excluding Police and Fire Chief) who were appointed to such positions prior to January 1, 1994 may reside within Hamilton County. See Section 308-83 of the Cincinnati Municipal Code.
3. The City Manager may adjust the list of Division Heads or equivalent positions required to live within the City. Please refer to Administrative Regulation 44 for a list of these positions.

### **2.2 POLITICAL ACTIVITY:** No employee (other than Council members or their aides) may take part in any partisan political movement or in any campaign for elective office.

#### **1. Examples of Activities Prohibited:**

- A. Giving, soliciting, or receiving (either directly or indirectly) any assessment, subscription, or contribution to any political party or candidate(s) for elective.
- B. Acting as ward officers for election work.
- C. Serving as an officer in any partisan political organization.
- D. Canvassing a district.
- E. Acting as a witness to the counting of ballots or as a challenger.
- F. Candidacy for or incumbency in any elective office.
- G. Membership on a partisan campaign committee.
- H. Commercially disseminating an expression, endorsement or opposition to a candidate(s) for elective office, including (but not limited to) advertisements, flyers, billboards, or bulk mailings.
- I. Displaying badges, buttons, signs, while on duty in support of or against a candidate(s) for elective office.



## **2.2 POLITICAL ACTIVITY: (Continued)**

- J. Displaying on City property signs, stickers, or posters, expressing support or opposition to a candidate(s).
- K. Public speeches as part of an organized partisan political campaign in support of or opposition to a candidate(s).

### **2. Examples of Activities Permitted:**

- A. Attendance at political meetings or rallies.
- B. Displaying bumper stickers on private vehicles.
- C. Displaying signs on private property owned or controlled by City employees unless the employee receives a fee for displaying the sign.
- D. Non-commercial personal expressions of endorsements or opposition to a candidate(s).
- E. Indicating on a Federal Income Tax return that a portion of your taxes may be used to finance national presidential elections.
- F. Campaigning for a nonpartisan issue or running for office in a nonpartisan election. However, no employees may participate in such elections while on duty or in uniform.
- G. Serving as a precinct election official performing duties provided by law for receiving the ballots and supplies, opening and closing the polls, and overseeing the casting of ballots during the times the polls are open, and any other duties required by the Ohio Revised Code.

- 3. **Political Activities Interpretations:** An employee may submit a description of his contemplated activity to the City Solicitor's Office. The Solicitor's Office will review the contemplated activity and advise the employee whether or not the activity is permitted under Section 2.2.

## **2.3 OUTSIDE WORK POLICY:** Employees must provide their agency with written notice of the outside employment.

- 1. No employee shall engage in any outside work that would present a conflict of interest with City employment.
- 2. Agencies may develop specific guidelines to advise employees on sensitive areas of work peculiar to that agency.

### **2.3 OUTSIDE WORK POLICY: (Continued)**

3. Questions concerning possible conflicts of interest or violations of the Code of Ethics should be referred to the Solicitor's Office.

**2.4 GRIEVANCE PROCEDURE:** All City-labor agreements contain procedures for resolving grievances. It is important that supervisors know and understand these provisions as they related to employees. Please see the individual contract or contact the Labor Relations Section for complete information. This should be done before any decision is made regarding a grievance. Training is available from the Human Resources Department. For employees not covered by a labor agreement, Administrative Regulation 36 concerning the resolution of employee concerns is available.

**2.5 AGENCY PERSONNEL RECORDS:** Agencies are required to keep a personnel folder on each active, transferred, or retired employee. This folder may not be destroyed or discarded without permission of the Director of Human Resources. At a minimum the folder should contain the following:

1. Name, and employee identification number from CHRIS.
2. Address.
3. Telephone number.
4. Emergency notification information.
5. Copies of all form 14s (When Form 14s were being used) and/or whatever document currently used by the Agency.
6. Copies of leave request forms. (For the current year and previous two years.)
7. Copies of corrective/disciplinary actions. (To be removed in accordance with the applicable labor agreement.)
8. Copies of commendations.
9. Copies of performance reviews.
10. Copies of tax withholding information.
11. Copies of Form 17-S (memoranda) relating to the employee.
12. Any other information that relates to the employee's job performance.
13. Photo of employee.
14. Copies of any required licenses, registrations, certifications and renewals.

## **2.5 AGENCY PERSONNEL RECORDS: (Continued)**

Employees are required to immediately inform their supervisors of any changes in items 1 through 4 above and of their marital status. Employees have the right to review their personnel folder upon request.

### **2.5.1 Medical Records:** It is necessary to keep all records related to an employee's disabilities or medical conditions separate from personnel records.

No records are to be added to agency personnel files which include any reference to an employee's medical conditions. Any such records that currently reside in personnel files must be removed immediately. Included are notes from physicians explaining use of sick leave, sick leave forms which give a medical reason for the absence, PEAP referrals, requests for reasonable accommodation, or any other document which could be construed as containing medical information or information on a disability. Any references to disabilities or medical information in documents such as performance evaluations that should be a part of the personnel file must have those references deleted. For example, sick leave use can be mentioned on the evaluation, but the reason for that use must be deleted.

All medical records must be kept in a separate, locked file so that unqualified persons do not have access to personal information which is private and confidential regarding an employee's disabilities or health conditions.

### **2.5.2 EMPLOYEE SOCIAL SECURITY NUMBER:** Under Federal Law, an employee's Social Security Number is confidential and must be deleted from any employee information released to the public.

It is required that when departments and divisions release employee information internally within the City service, the Social Security Number must be deleted.

## **2.6 EMPLOYEE IDENTIFICATION CARDS:** ID cards must be replaced with every change in name, title or department, or after a period of four years. Departments must also retrieve the ID card of an employee who is separated from the City service before issuing a final paycheck.

Employees must have the ID card on their person during the performance of their duties, and they must produce their ID card for inspection upon request from a member of the public or City official. Departments may require employees to clip their ID cards to their clothing in such a manner as to be readily visible.

**2.6 EMPLOYEE IDENTIFICATION CARDS: (Continued)**

Employees are responsible to carefully guard their cards and to immediately report lost cards to their supervisors. Repeated carelessness or misuse of City ID cards is neglect of duty.

**2.7 NEPOTISM:****Purpose**

To maintain public confidence that employment decisions and personnel actions are based on principles of equal employment opportunity and merit rather than favoritism shown to a relative of a City employee.

**Policy**

It shall be the policy of the City of Cincinnati to avoid those situations where employees participate in the employment decisions of or personnel actions pertaining to persons related to them by birth, adoption, or marriage.

**Examples of Activities to be Avoided**

Participating in test design, test administration, test scoring, test validation, interview, or other selection steps or processes likely to effect the appointment of a close relative to City service.

Service as a disciplinary hearing officer in a matter involving a relative.

Completing or reviewing performance reports for a close relative.

Making recommendations for any personnel action involving a close relative to include: grievance resolution, promotion or step-ups, discipline, appointment, work assignments, etc.

**Responsibility**

It shall be the responsibility of the employee to identify to the next level of supervision those work assignments that give rise to a conflict with this policy. Supervision shall make every effort to adjust work assignments to enable the employee to avoid activities described above.

**Reporting and Implementation**

Should two employees become close family members because of marriage, adoption, or other reason, and they are in a supervisor-subordinate relationship, they shall immediately inform the appropriate supervisor. The Department shall attempt to arrange a transfer of one of the employees to a different section or division.

**2.7 NEPOTISM: (Continued)**

The Department involved shall determine which person is to be transferred based upon seniority and the ability of the Department to continue to provide efficient service.

If such a reassignment is not practical, the Department Head should contact the Human Resources Director for assistance in implementing an appropriate transfer or reclassification. The transfer will be affected as quickly as practicable without impairing the efficiency of City operations and service to the public.

No person shall be denied an appointment from any Civil Service eligible list because of such a relationship.

The terms of this section are subordinate to and shall be enforced only insofar as they are consistent with Civil Service Law, Collective Bargaining Agreements, and Civil Service Regulations.

## **CHAPTER 3 – EMPLOYEE BENEFITS**

### **3.1 HEALTH CARE INSURANCE:** specific information regarding health care plans is available from the Office of Risk Management.

1. **ELIGIBILITY** – All provisional (hired after 3/4/79) and permanent employees who work at least  $\frac{3}{4}$  time are eligible for one of several health care plans. New employees should contact their agency's personnel office or the Office of Risk Management to obtain information about a plan in which they may participate.
2. **APPLICATION** – The employee should contact his agency's personnel office to apply for health care or changes in his health care coverage.
3. **EFFECTIVE DATE** – For employees in Salary Divisions 0, 5, 7, 8, and 9, coverage becomes effective on the date they are hired. The effective dates of coverage for employees in the bargaining unit's (Salary Divisions 1, 2, and 3) are stated in the appropriate labor-management agreement.
4. **PREMIUMS** – The City pays all or part of the monthly premium for the health care insurance in which an employee enrolls. The type of coverage, the portion that the employee pays is dependent upon the salary division in which an employee is placed. Employees should contact the Office of Risk Management to obtain specific premium information about the plan in which they are enrolled, or may enroll.
  - A. Employees absent without pay for more than six pay periods must assume payment of the monthly premium if they wish to remain part of the City group plan. Their agency must notify the Finance Department that they have been absent without pay for six pay periods and whether or not the employee wishes to pay the premium. If the employee does not elect to pick up the premium, coverage will be canceled but may be resumed the day he returns to work, provided the employee completes a new application card.
5. **COVERAGE FOR DEPENDENT CHILDREN BEYOND 19**

Dependent children beyond age 19 may be covered under the following conditions:

  - A. Up to age 24 or 25, and/or their primary residence is with their parents, and/or a full time student, and/or dependent for more than one-half of their support and allowed as a Federal Income Tax deduction for the parents.

### 3.1 HEALTH CARE INSURANCE: (Continued)

B. Children with disabilities may be covered to any age if they are incapable of self-support because of a total and permanent disability.

6. **CHANGE IN COVERAGE** – When an employee adds or deletes a family member, changes their name, or is switching from single to family coverage or from family to single coverage, the changes must be submitted on the appropriate application form to the Office of Risk Management. Depending upon the insurer, there are very specific time limits for reporting these changes, so it is important that this be done quickly.

**Open Enrollment Period:** Those who wish to transfer from one health insurance plan to another may do so only during the month of October. The change becomes effective on January 1<sup>st</sup> of the following year.

7. **SUPPLEMENTAL PLANS** - There are numerous supplemental plans (such as dental and vision) available to employees. The availability of each plan is dependent upon the salary division in which one is placed. Each employee should contact their agency personnel office for specific information about opportunities for enrollment, and costs.
8. **FLEXIBLE BENEFIT PLANS** - Contact Risk Management for details at 352-3759.

### 3.2 HOLIDAYS AND HOLIDAY PAY: Holidays are celebrated and paid according to an employee's work schedule and division in the Salary Schedule.

#### 1. For all non-uniformed employees (except Division 4):

New Year's Day	Labor Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving Day
Independence Day	Christmas Day

For other holiday provisions refer to the appropriate labor-management agreements and Chart III, "Differences in Selected Employee Benefits by Division of the Salary Schedule".

3. **Standard Shift (normal 5-day – Monday through Friday work week). The holiday extends from 12:01 a.m. to 12:00 p.m.**

### 3.2 HOLIDAYS AND HOLIDAY PAY: (Continued)

- A. If the actual holiday falls on a Sunday, the following Monday is considered the holiday. If the actual holiday falls on a Saturday, the preceding Friday is considered the holiday.
  - B. Divisions 0, 1, 3 and 9 earn double time for the number of hours **worked** on the observed (Monday or Friday) holiday in addition to 8 hours pay for the holiday. This also applies if the actual holiday falls on Monday through Friday and is worked.
  - C. Divisions 7 and 8 earn straight time for the number of hours worked on the observed holiday in addition to 8 hours pay for the holiday. This also applies if the actual holiday falls on Monday through Friday and is worked.
  - D. If the actual holiday falls on Saturday or Sunday and is worked, regular overtime applies (see Section 6.8 and 6.10).
3. **Nonstandard Shift** – Employees working normal daytime hours but including weekends and employees working normal rotating shifts on seven day operations: The holiday period conforms to the work week definition (see Section 6.8).
- A. Earns holiday pay (double time) for the number of hours worked on the actual holiday not the observed holiday in addition to his normal 8 hours pay for that day. For example, if an employee's normal off days are Tuesday and Wednesday, and the actual holiday falls on Sunday and is observed on Monday, the employee receives double time for the number of hours worked on the actual holiday plus 8 hours pay for the actual holiday. If the employee also works on the observed holiday, he will be paid at straight time.
  - B. If the actual holiday falls on the employee's normal off day, the employee must be given another day off or another day's pay.
  - C. If the employee is given another day off and the actual holiday falls on his first off day, then he receives the day off preceding the actual holiday. If the actual holiday falls on his second off day, then he receives the day off after the actual holiday.
4. **New Employee** – A new employee whose first normal work day is a holiday receives pay for that holiday provided he works the rest of the week.



### 3.2 HOLIDAYS AND HOLIDAY PAY: (Continued)

#### 5. Holiday Pay for $\frac{3}{4}$ Time Permanent Employees (Standard Shift Only – Employees Who Work Monday – Friday)

- A. If a holiday falls on/is observed by the City on one of the employee's normally scheduled work days, he would get the same number of paid hours for the Holiday that he normally works. The number of paid hours might be eight (8) or might be less than eight (8), depending on his regular schedule; the number of paid Holiday hours can never exceed eight (8) hours.
- B. If the employee does not normally work on the Holiday/day observed as the Holiday, the employee would be given a day off on one of his normally scheduled workdays in that same workweek in order to observe the Holiday. For example, if the employee's normal off day is a Friday and the Holiday/day observed as the Holiday falls on Friday, then the employee would be scheduled to take the preceding Thursday off for the Holiday. If the Holiday/day observed as the Holiday falls on Monday and the employee normally does not work on Monday, then the employee would be scheduled off on Tuesday for the holiday. The number of Holiday pay hours the employee receives will depend on the number of hours the employee normally works on the day of the week that he is given off; however, the number of paid Holiday hours can never exceed eight (8) hours. In the case of Holidays that fall on Tuesdays, Wednesdays or Thursdays (other than Thanksgiving), the supervisor will determine which day of the same workweek the employee will be given off (i.e., the day before or the day after the Holiday).
- C. In the case of the City's Thanksgiving Holidays, the holidays fall on both Thanksgiving and Friday. If the  $\frac{3}{4}$  time employee normally works on one of those days, he would get the same number of paid Holiday hours for that day as he normally works. This amount might be eight (8) hours per day or might be less, depending on his regular schedule; the number of paid Holiday hours can never exceed eight (8) hours.
- D. In the case of the City's Thanksgiving Holidays, if the employee does not normally work on one of the Thanksgiving Holidays, the employee would be given a day off on one of his normally scheduled workdays in that same workweek in order to observe the Holiday. For example, if the employee's normal off day is Friday, then the employee would be scheduled to take the preceding Wednesday off for the Holiday in place of Friday, resulting in Holiday pay for both Wednesday and Thursday. If the employee's

### 3.2 HOLIDAYS AND HOLIDAY PAY: (Continued)

normal off day is Thursday, then the employee would be scheduled to take the preceding Wednesday off for the Holiday, resulting in Holiday pay for both Wednesday and Friday. The number of Holiday pay hours the employee receives will depend on the number of hours the employee normally works on the day of the week that he is given off; however, the number of paid Holiday hours can never exceed eight (8) hours.

6. **Emergency Appointments and Unclassified Casual Appointments in Division 4:** do not receive holiday pay regardless of the number of hours worked.
7. **Employee forfeits holiday pay in the following cases:**
  - A. Off without pay for any reason for the entire week in which the holiday falls. This includes employees receiving donated time.
  - B. Off without pay for any reason on both the workday before and the workday after a holiday.
  - C. AWOL for any portion of the workday on either the workday before or the workday after the holiday.
  - D. Non-uniformed employees on IWP should be recorded as 8 hours IWP for the holiday.
8. **Religious holy days:**
  - A. May be charged to vacation, compensatory time, or PWOP.
  - B. Employee's immediate supervisor should be notified in writing at least 5 days prior to the holy day.
  - C. The supervisor shall reply in writing within two (2) working days of receiving the written request.
  - D. Written approval must be received before the employee will be excused for the holy day.

**3.3 VACATIONS:** (See Chart V “Vacation” for a listing of how much vacation time is accrued based on seniority and Division of the Salary Schedule).

1. **Eligibility** – Only provisional (hired after 3/4/79) and permanent employees who work at least  $\frac{3}{4}$  time are eligible for vacation. However, employees hired as seasonals who are appointed to provisional or permanent service with no break in service will be eligible for vacation time for their seasonal service.
  - A. **Employees working  $\frac{3}{4}$  time to full-time:** Vacations earned and charged in the same proportion to full-time as his work schedule is to full-time. Maximum balance is also a proportion of the full-time schedule.
  - B. **Absence without pay during a bi-weekly pay period:** Full vacation credit is accrued if the employee is in a pay status more than 40 hours; one week’s credit is earned if the employee is in a pay status for 1 to 40 hours, inclusive in the pay period.
  - C. **Part-time Permanent Employees** – Do not earn vacation credit if percent of work time is less than 75%.
2. **Break in Service** – For purposes of determining vacation seniority, an employee retains his original seniority date if he is:
  - A. Restored from layoff, involuntary separation (for other than disciplinary reasons) within one year, military leave, or retirement except that any employee who has retired in accordance with the provisions of any State retirement system (such as PERS, or the Police and Fire Pension System) after June 24, 1987 is not eligible.
  - B. Returning from an approved leave of absence (with or without pay).
  - C. Returning to full-time employment after an interval of part-time employment that was immediately preceded by full-time employment with no break in service (effective 1/1/84). All others will get a new vacation seniority date, but will receive credit for previous City of Cincinnati employment.
  - D. **Retired Police Officers to Non-Uniformed Service** – Employees in the sworn police service who retire and are rehired in the non-sworn police service within two years from the date of that retirement shall accrue vacation credit at the rate of 7.4 hours per pay period. The maximum vacation accrual for these employees shall be the maximum permitted in the salary division in which they are classified. When a sworn employee receives a disability

### 3.3 VACATIONS: (Continued)

retirement and is rehired in the non-sworn service within two years from the date of that retirement, the employee shall accrue vacation at the sworn rate (police) applicable to his/her original appointment date. The maximum vacation accrual shall be the same as it is in the uniformed service.

3. **Transfers:** Employees retain vacation seniority on interdepartmental transfers.
4. **Advanced Vacation:** Advanced vacation is only granted in the most unusual cases. Requests must be submitted in advance to the Human Resources Director on Form 25-S along with the employee's signed agreement to reimburse the City if he leaves City service before earning the credit taken.

In addition, non-represented employees (Salary Divisions 0, 5, 7, 8, 9) may purchase up to 40 hours of vacation. Requests are processed in the same manner as advanced vacation. Repayment for vacation time is scheduled over 26 pay periods via payroll deduction.

#### 5. **Rescheduling Vacation:**

- A. If an employee, because of an early vacation scheduled by the department, is lacking four hours or less of credit, the department must grant the additional time without charge.
- B. Once a vacation request is approved for a Division 1 employee, it cannot be changed without the written consent of the employee. (See labor-management agreement.)
6. **Sickness on Vacation:** Sickness on vacation can only be changed to SWP when the employee is hospitalized and then only for the duration of the hospitalization, and to SWP-F when a family member is hospitalized, and for the duration of the hospitalization within the guidelines previously set forth herein for the use of SWP-F. Refer to appropriate labor-management agreements for additional information concerning sickness on vacation.
7. Bargaining unit employees may be eligible for premium pay if they are called back and report to work while on vacation. (See labor-management agreements.)

- ### 3.4 LEAVES OF ABSENCE:
- An employee when not at work must be carried on the payroll with the appropriate pay status designation, which will show the leave to be either "paid" or "unpaid." Failure to carry the employee in the appropriate leave designation as set forth below may result in discipline to the supervising employee responsible.

### 3.4 LEAVES OF ABSENCE: (Continued)

#### Sick Leave With Pay

##### 1. Rate of Accrual:

- A. Permanent and provisional employees who work full-time earn four hours of sick leave per bi-weekly pay period (2 hours for each 40 hours of service).
- B. Employees who work at least  $\frac{3}{4}$  time (part-time) but less than full time earn a prorated amount.
- C. In case of absence without pay during a bi-weekly pay period, 4 hours SWP will be earned if the employee is in a pay status more than 40 hours. Two hours SWP will be earned if the employee is in a pay status for 1 to 40 hours inclusive in the pay period.
- D. Employees do not earn SWP while on IWP leave.

##### 2. Break in Service:

- A. Persons who re-enter City service as a permanent employee within 1 year (including those who re-enter City service by new examination) shall be credited with any accumulated sick leave balance remaining at the end of their previous service. This provision includes persons reinstated or rehired to City service.

**Exception:** Employees hired into a City position who are receiving a pension as a result of previous employment with the City shall not be credited with the sick leave balance they had when separated from their previous City employment. They shall start their second employment period with the City with a sick leave balance of zero.

- B. Persons returning to full-time employment after an interval of part-time employment that was immediately preceded by full-time employment with no break in service shall be credited with any accumulated sick leave balance at the end of their previous full-time service (effective 1/1/84).
- C. No credit is given if the employee was out of service more than one year, except because of military leave; returned to work within three years of medical separation; or recalled within three years from a Police or fire layoff list. In such cases, complete Form 3-S to credit the employee with his previously earned SWP balance.

### 3.4 LEAVES OF ABSENCE: (Continued)

#### 3. Sick Leave Balance Transfer – Previous Ohio Public Employment

Employees who have been previously employed by either the City of Cincinnati or another Ohio public employer may transfer any unused sick leave credit to their City sick leave balance.

To be eligible for this benefit, the following criteria must be met:

- A. The employee must be a full-time employee of the City.
  - B. The employee must have been hired by the City on or after February 4, 1987. Employees hired before January 23, 1997 have six years from that date to submit a request to transfer sick time. Employees hired after that date, have six years from their date of hire to submit a request for such a transfer. Employees must make such requests within ten years of the last date of their previous public employment. Employees making sick leave transfer requests within 30 days from the date of this revision are exempt from this ten-year provision.
  - C. The employee must provide documentation of the sick leave balance to be transferred. This can be accomplished by a letter from the previous public employer stating the unused sick leave balance held by the employee. The City reserves the right to take reasonable steps to insure the accuracy of any documentation provided by the employee.
  - D. The employee must request this sick leave balance benefit in writing, with the supporting documentation, to the Human Resources Director.
  - E. Division 1 employees are not eligible to transfer sick leave.
4. **Donated Time** – Permanent, provisional, and part-time employees may receive donated time under the following circumstances:
- A. It is a legitimate use of SWP. Donated time also may be used for SWP-F (sick with pay–family, SWP-M (sick with pay–maternity), or SWP-D (sick with pay–death) in cases of catastrophic illness or cases that result in extreme hardship for the employee. Prior approval from the Human Resources Director must be obtained for donated time to be used for SWP-F, SWP-M or SWP-D.
  - B. They have exhausted all of their own SWP, vacation, and comp time.
  - C. Time donated is deducted from the donor’s vacation balance or comp time balance **not** SWP balance.

### 3.4 LEAVES OF ABSENCE: (Continued)

- D. The number of hours credited to the employee receiving the donation depends on the employee's rate of pay as compared to the rate of pay earned by the donor. If the donor earns less than the donee, the hours donated will be prorated. If the donor earns more than the donee, the hours credited will be greater than those donated. The list of donors with accompanying calculations must be forwarded to the Human Resources Department for verification and approval.
- E. The donor's agency should complete Form 3-S "Changes in Vacation, Sick Leave, and Leave Without Pay" to deduct the donated time from the employee's vacation balance and forward it to the Accounts and Audits Division of the Finance Department.
- F. The number of donated hours an employee is receiving should be recorded as such on the Payroll Attendance Record (PAR) by his agency. When used, the PAR is printed by the Agency from CHRIS.
- G. The donor and the employee receiving the donated time need not work in the same agency.
- H. Employees receiving donated time **do not** accrue vacation or sick leave. In addition, employees on donated time do not receive holiday pay. No new benefits can be earned by the employee receiving donated time (e.g., vacation, sick leave, holidays). Therefore, 8 hours must be donated for any workday of the week on which a holiday falls.
- I. Approval will not be allowed if the sick employee is eligible for disability or regular retirement.
- J. Donated time cannot be used to prolong an employee on the payroll in order to make him eligible for any retirement benefits.
- K. When an employee returns to work, any donated time that has not been used must be returned to the donors. Upon returning to work, an employee begins to accumulate vacation and sick time that must be used before any additional donated time can be requested from other employees.

### 3.4 LEAVES OF ABSENCE: (Continued)

#### TYPES OF SICK LEAVE

Available to all full-time permanent employees. (See specific labor-management agreements for additional information relating to those employees.) Sick leave, if available, must be used for time off because of illness, off-duty injury or official quarantine. Vacation or compensatory time **may not** be used in such situations unless SWP has been exhausted.

1. **SWP (Sick With Pay):** Granted when an employee is physically unable to work due to illness, off-duty injury, or official quarantine, or for routine medical and dental appointments (as described in D below).

Sick leave must be approved by the supervisor.

- A. Sickness or injury caused by outside employment cannot be charged to SWP. Vacation or compensatory time may be used.
  - B. If the agency questions the treating physician's diagnosis or the length of absence, the employee may be sent to the City Physician for evaluation. The City Physician's decision is final.
  - C. Employees in Divisions 0, 3, 5, 7, 8, and 9 may be granted SWP-MDL (Medical Dental Leave) not to exceed a total of 12 hours per calendar year for routine medical and dental appointments. Employees in Divisions 1 and 2 are not eligible for this benefit.
  - D. SWP may be approved for attendance at an appropriate substance abuse treatment program. Attendance at the Public Employees Assistance Program (PEAP), beyond the first visit, is on the employee's own time.
2. **SWP-F (Sick With Pay – Family):** Usage of leave for illness in the family varies according to the composition of the immediate family (spouse, parent, parent-in-law, child, sibling or member of the immediate household) and the seriousness of the case. Sick With Pay-Family shall be granted for the following reasons:
    - A. **Official quarantine** – for the duration of the quarantine. Official quarantine may only be imposed by a City, County, or State Health Official authorized to do so.
    - B. **To care for and make arrangements for a sick member of the immediate family** – up to one day. Additional time (not to exceed four days) may be granted by the immediate supervisor provided the employee submits written verification by the treating physician.



### 3.4 LEAVES OF ABSENCE: (Continued)

- C. **Serious accidents, major or minor surgery, critical or sudden illness involving a member of the immediate family** – up to one day. Up to a maximum of one week of additional sick leave may be granted by the immediate supervisor and two weeks of additional sick leave may be granted by the agency head (unless prohibited by labor-management agreement).
  - D. **Childbirth** – the father of the child shall receive one day on the day the child is born and one day on the day the child is brought home.
- 3. **SWP-M (Sick With Pay – Maternity):** Granted for the period during which the employee is physically unable to work due to: pregnancy, childbirth, miscarriage, a related medical procedure, or recovery there from.
  - A. The usual amount of time off granted for a normal delivery is six weeks. Time off longer than the six weeks requires a doctor's note indicating when the mother will be able to return to work.
  - B. The employee must notify her supervisor approximately two weeks in advance of her expected date of departure. Employees experiencing unexpected emergencies will not be penalized for failure to give proper notification.
- 4. **SWP-D (Sick With Pay – Death):** Length of leave depends on the following:
  - A. **Death of the immediate family** – (spouse, parent, step-parent, parent-in-law, grandparent, child, sibling, grandchild, legal guardian or member of the immediate household). Four days for Divisions 0, 5, 7, 8 and 9 near the death or burial date. Divisions 1, 2 and 3 see labor-management agreement.
  - B. **Death of any other relative** – one day to attend the funeral (two days for AFSCME members). A maximum of five days a calendar year can be used to attend funerals of relatives not in the immediate family. Other relatives include blood relatives of the employee, sister and brother-in-law, grandparents-in-law, uncles, aunts, nieces and nephews of the employee's spouse. Relatives do not include previous spouses or relatives of such previous spouses, or in-laws other than those named.

### 3.4 LEAVES OF ABSENCE: (Continued)

5. **SWP-A (Sick With Pay – Adoption):** Granted to employees in Divisions 0, 1, 5, 7, 8 and 9 in the same manner as SWP-M and SWP-F (childbirth).
  - A. The employee must notify the supervisor at least two weeks in advance of the arrival of the adopted infant. However, emergency situations will not automatically result in denial.
  - B. No newly adopted child over 2 years of age shall be covered by this benefit.
6. **Family Medical Leave Act (FMLA):** It is the policy of the City to provide up to 12 weeks of family and medical leave during any 12 month period to eligible employees in accordance with the provisions of the Family and Medical Leave Act of 1993 (FMLA). This leave may be unpaid or paid, depending on the circumstances as specified in this policy. FMLA cannot be used against an employee for sick sell back or the sick use incentive (SUI).
  - **Eligibility:** To qualify for family and medical leave under this policy, the employee must meet all of the following conditions:
    - A. The employee must have worked for the City for 12 months, or 52 weeks. The 12 months or 52 weeks need not be consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was in a paid status for only part of a week or if the employee was on leave during part of a week.
    - B. The employee must have worked at least 1250 hours during the 12-month period immediately before the date when the leave is scheduled to begin.
  - **Type of Family or Medical Leaves:** Family or medical leaves may be taken for one of the following reasons:
    - A. The birth of the employee's child and to take care of that child;
    - B. The placement of a child for adoption or foster care;
    - C. To care for a spouse, child, or parent with a serious health condition; or
    - D. The serious health condition of the employee that prevents him or her from performing the functions of his or her position.

### 3.4 LEAVES OF ABSENCE: (Continued)

An eligible employee may take up to 12 weeks of leave under this policy during any 12-month period. This 12-month period is measured forward from the date an employee's first FMLA begins.

If both husband and wife work for the City, and each wishes to take family leave for the birth of a child, adoption, or placement in foster care, or to care for a parent (not a parent-in-law) with a serious health condition, they may only take a total of 12 weeks leave (rather than 12 weeks each). Family leave taken for the birth, adoption, or placement of a child must be taken during the first 12 months after the arrival of the child.

- **Employee Benefits During Leave:**
  - A. Any employee who is granted an approved leave of absence under this policy and is in an unpaid status, is advised to provide for the retention of his or her group health insurance coverages by arranging to pay the premium contributions in addition to the employee's co-payments during the period of unpaid absence.
- **Employee Status After Leave:** The City will restore employees returning from leave to the same or equivalent position and benefits.
- **Use of Paid and Unpaid Leave:** If the employee has accrued paid leave, the employee must use paid leave first and take the remainder of the 12 weeks as unpaid leave. If the leave is taken because of the serious health condition of the employee or a family member, the employee must first use qualifiable sick time. Then all vacation time and compensatory time must be exhausted before unpaid leave is authorized unless the employee returns to work.

An employee using leave because of the birth of a child must use Sick With Pay-Maternity (SWP-M) qualifiable sick leave for physical recovery following childbirth or Sick With Pay – Family (Childbirth) as herein provided or in the labor-management agreements. The employee must then use all vacation and compensatory time until exhausted. The employee will then be eligible for unpaid leave for the remainder of the 12 weeks.

### 3.4 LEAVES OF ABSENCE: (Continued)

Employees under union agreements, except for AFSCME, must use leave taken for adoption or foster care of a child as vacation or comp time prior to using unpaid leave. Other employees may use SWP-A prior to using vacation and comp, and then unpaid leave.

- **Intermittent Leave or Reduced Scheduled Leave:** If medically necessary for a serious health condition of an employee or his or her spouse, child, or parent, leave may be taken in 12 consecutive weeks or used intermittently (take a day when needed over the year). It may, in some cases, be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases leave may not exceed 12 weeks over a 12 month time period.
  - A. The City may temporarily transfer an employee to an alternate position, with equivalent pay and benefits, if the alternate position would better accommodate the reduced work schedule.
  - B. Intermittent or reduced workweek taken for the birth, adoption, or placement of a foster child must be agreed to by the City.
  - C. Intermittent or reduced workweek leave taken for a serious health condition should be worked out prior to taking the leave with the supervisor. If this is not possible, the employee must provide medical certification that intermittent or reduced leave is necessary.
- **Starting of FMLA Time:** When a department/division/supervisor becomes aware that a FMLA condition is present, the supervisor **must** start the FMLA “clock” and notify the employee as indicated above. This should occur on the fourth day of an employee’s absence. This is **not** a discretionary choice by the supervisor. The employer determines if and when the FMLA time begins and this should be done as quickly as possible to lessen any liabilities that may be incurred such as, unpaid time off and the payment of health benefits. With the exception of a few circumstances; e.g., where the employer has not received proper notification from the employee, FMLA time **cannot** be backdated.
- **Certification of Serious Health Condition:** When an employee must take their FMLA leave (either personal or family) as paid time as the City requires, the supervisor can only require documentation that is already mandated by other sections of the City’s sick leave policy, current practice, or by existing departmental rules and regulations.

### 3.4 LEAVES OF ABSENCE: (Continued)

When any part of the FMLA approved leave (either personal or family) is unpaid, then certification will be processed in the following manner. The supervisor shall require medical certification as required by FMLA to support a claim for an employee's own health condition. This certification must include a statement the employee is unable to perform the functions of his or her position. If family leave is taken because of a serious medical condition to care for a seriously ill child, spouse or parent, the supervisor shall request that the employee provide medical certification of the medical condition, and include the amount of time the employee is needed to provide care. These forms are available by accessing the Human Resources Department's web page on the City's Internet and Intranet. The City may require, at its expense, a second opinion regarding the serious medical condition. If a dispute exists between the two opinions, a third opinion may be obtained, at City expense, and this opinion will be binding on the City and employee. The City Physician will not be used to obtain the second or third opinion.

- **Employee Notification and Reporting Requirements:** When the need for leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment, the employee must provide reasonable prior notice, and make efforts to schedule leave so as not to disrupt City operations. Failure to do so may delay the approval of the leave as FMLA. In cases of illness, the employee will be required to report periodically on his or her leave status and intention to return to work.
- **Reporting Requirements of FMLA:** When a department/division/supervisor has enough knowledge that the leave is to be taken for an FMLA reason, the employee must be notified within two business days that the time will count as FMLA. This must be by written notification no later than the next payroll period. This is true even with the birth of a child.

The written notice must contain the following information:

- A. The leave will count as FMLA leave against the 12 weeks to which they are entitled.
- B. The medical certification that is required.
- C. The use of paid leave (qualifiable SWP, vacation, and comp) before using unpaid leave. (See Section 7 E)

### 3.4 LEAVES OF ABSENCE: (Continued)

- D. It is the employee's responsibility to pay their share of any health benefit premiums and arrangements for such payments. Note: since City employees typically use paid time off, this is not an issue until the employee is placed in unpaid status. The affected employee should contact Risk Management to obtain information about their health care benefits if they go into an unpaid status.
- E. Any requirement for a fitness for duty certification upon return from leave. This can be critical if the employee is on IWP or there is a Workers' Compensation issue.
- F. The right of the employee to be restored to the same or similar job upon their return from FMLA leave.
- G. The employee's potential liability for health insurance premiums if he/she fails to return from leave. This applies only if the employee is in unpaid status.

- **Procedures for Requesting Leave:**

- A. Completion of Request for Family and Medical Leave of Absence:

A request for family and medical leave of absence must be originated in duplicate by the employee. This should be completed in detail, signed by the employee, submitted to the immediate supervisor for proper approvals, and forwarded to the Department/Division personnel unit. If possible, the request should be submitted thirty (30) days in advance of the effective date of the leave.

- B. All requests for family and medical leaves of absence due to illness will include the following information. Sufficient medical certification stating 1) the date on which the serious health condition commenced; 2) the probable duration of the condition; and 3) the appropriate medical facts within the knowledge of the health care provider regarding the condition. In addition, for purposes of leave to care for a child, spouse or parent, the certificate should give an estimate of the amount of time that the employee is needed to provide such care. For purposes of leave for an employee's illness, the certificate must state that the employee is unable to perform the functions of his or her position. In the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated.

### 3.4 LEAVES OF ABSENCE: (Continued)

**Assistance and Questions:** Supervisors and agencies needing assistance and information should contact the Labor Relations Section, Human Resources Department on lines 352-2424 or 352-2413.

#### 7. Use And Control Of Sick Leave

SWP should not be authorized unless the employee has properly reported and fully justified his absence to the satisfaction of his supervisor. Agencies should develop sick leave policies in writing and these should be communicated to all employees. The AFSCME agreement should be referenced for information on Salary Division 1 Employees.

- **Sick Leave Calls:** Each agency should set a specific time for sick leave calls. In general, ½ hour before to ½ hour after starting time is sufficient. However, these call-in times can be varied to meet the operating needs of the agency. Employees should know the call-in time for their agency and who is authorized to receive the call.
  - A. The supervisor should obtain the following information from the employee when he calls:
    1. The general nature of the illness.
    2. How long he anticipates he will be off duty.
    3. Whether he has called or will call a doctor.
  - B. The supervisor should tell the employee the following when he calls:
    1. If the absence exceeds one day, will the employee need to call again? If so, when?
    2. Will you require a doctor's written verification of the illness?
    3. Let the employee whose use of sick leave is questionable know that he will not be granted sick leave until he furnishes satisfactory verification.

### 3.4 LEAVES OF ABSENCE: (Continued)

- **Doctor's verification:** The employee's entire record will determine how much proof is required. Reference AFSCME agreement for information on Division 1 Employees.
  - A. Employees with excellent records may not need to verify illness, while employees with poor records may be required to have a doctor's statement for each absence.
  - B. Generally, any employee with four or more instances of sick leave use during the 12 months previous to the sick leave request should be asked to provide a physician's verification of illness and inability to work. This should be done before sick leave is approved by the supervisor.
  - C. If the physician's verification does not provide enough information to substantiate the use of sick time the employee should be asked to submit a more detailed statement. The employee may also be asked to sign a release of information form for the treating physician to provide medical information to the City Physician.

This information will be held in confidence by the Employee Health Service.

1. Employee must follow proper reporting procedure and provide requested proof. Failure to do so may result in being recorded as AWOL.
  2. If the leave extends beyond one month, a medical certificate may be required before return to work.
- **Attendance records:** Supervisors should keep accurate records of sick leave usage and attendance. This information should be reflected on the annual performance rating.
  - **Abuse of Sick Leave:** Employees with attendance problems should be called into a conference by their supervisor. Employee morale will suffer if workers are required to carry the workload of an employee with an attendance problem.
    - A. The employee's record should be reviewed with him and he should be given an opportunity to explain the reasons his attendance is poor.



### 3.4 LEAVES OF ABSENCE: (Continued)

- B. The supervisor should provide the employee with a clear statement of what is expected from this point. This statement may be reduced to writing and given to the employee.
  - C. The employee may be referred to Public Employees Assistance Program or to Employee Health Service for a medical evaluation.
  - D. The employee should be reminded of the necessity of being present at work and that continued abuse may result in disciplinary action.
8. **SWOP (Sick Leave Without Pay):** Granted when employee is sick or injured but does not have a sick leave balance.
- A. Employee must follow proper reporting procedure and provide requested proof. Failure to do so may result in being recorded as AWOL.
  - B. SWOP may not exceed one year. A medical evaluation may be required before return to work.
9. **Administrative Leave:** Administrative Leave is granted only by the City Manager in situations where the City Manager determines that it is in the best interest of the City that an employee be relieved from his normal duties pending an investigation or review of a precipitating incident. The employee, while on Administrative Leave, shall continue to receive all City benefits to which they are normally entitled.
10. **PWP (Personal Leave With Pay):**
- **PWP-Union:** See the appropriate labor-management agreement for details.
  - **PWP-Jury Duty:** Permanent employees called for jury duty are granted a leave of absence and receive their regular pay.
    - A. The employee is excused each day for time spent in jury duty and is expected to be at work otherwise (allowing for reasonable travel time).
    - B. An employee working other than the day shift shall be transferred to the day shift for the duration of the jury service.

### 3.4 LEAVES OF ABSENCE: (Continued)

- C. The employee must submit the jury pay voucher and any fees to his agency for deposit with the City Treasurer. The employee does not need to submit mileage or parking reimbursements received from the court.
- D. Any fee received for jury duty on an off day or on an employee's own time (i.e., vacation or comp time) may be retained by the employee.

#### 11. PWP-Witness in Court:

- A. An employee testifying in a case arising from his City employment is granted a leave of absence for the time spent as a witness and is paid his regular salary; witness fees must be deposited with the City Treasurer.
- B. Testifying for a job related case on an employee's own time is compensated at the usual overtime rate. Witness fees must be deposited with the City Treasurer.
- C. When a permanent employee is subpoenaed by the Prosecutor's Office or the Police Division to testify for a public jurisdiction (regardless of whether it is job related), he is paid his regular salary; witness fees must be deposited with the City Treasurer.
- D. The employee is excused each day only for time spent as a witness and he is expected to be at work at other times (allowing for reasonable travel time).
- E. Employees are not paid when called as a witness in a (private) civil suit that did not arise out of his City employment. Vacation or compensatory time may be used in such instances.

12. **PWP-Pre-induction:** An employee ordered for pre induction processing is given time with pay for this purpose upon showing his/her orders to his agency. This does not include periodic physicals for retaining reserve status.

13. **MT (Military Training Leave With Pay):** A permanent employee assigned to a military reserve unit is entitled to paid leave for required field training (summer camp) or active duty. Paid leave may be for up to 30 days per calendar year. In addition, such employees are entitled

### 3.4 LEAVES OF ABSENCE: (Continued)

to unpaid leave for training beyond mandatory obligations provided they submit evidence of their departure and return dates within 60 days prior to their departure. After the first 30 days is exhausted for active duty leave, the employee may take vacation, compensatory time or holiday time. After all of their paid time is exhausted, the employee will be placed in Leave Without Pay (LWOP) status. (Also see Section 1.6.3 on restoration.)

- A. Military training and military pay are calculated from the first calendar day the employee is paid by the military through the last such day (including weekends, holidays, and normal off days).
- B. If the gross military pay (excluding allowances for travel, food, and housing) is less than the employee's City salary, he receives the differential. The employee must submit his military pay order and pay voucher with Form CS-8 (Certification of Military Training) to his agency for forwarding to the City Treasurer. In practice, the employee receives full pay during the military training period and then upon his return a gross pay adjustment is deducted from his next paycheck. The amount of the gross pay adjustment will be calculated based on the employee's scheduled City of Cincinnati workdays. Military pay for scheduled City days off will not be included in the calculations. The deduction does not include allowances for travel, food and housing.
- C. The employee may charge all or part of his leave to vacation, overtime, and/or a holiday observed by the City during this time. In such instances, he may retain his military pay in proportion to the workdays charged to other forms of leave.
- D. Pay differential is not granted for short, repetitive periods of military service (such as week night or weekend meetings) or for recall to active duty beyond 31 days. Time off beyond 30 days may be charged to paid or unpaid leave for up to a total of 59 additional days per year.

**14. PWOP (Personal Leave Without Pay):** May be granted for up to one year for any reason other than to try out a new job. Granting of PWOP is solely at the discretion of the agency.

**15. AWOL (Absent Without Leave):** An employee is docked pay and subject to disciplinary action if he is tardy or absent without proper authorization. (See Civil Service Commission Rules). AWOL is the only method to record unapproved time off from work.

### 3.5 LONGEVITY PAY:

1. Eligibility and Longevity Date:
  - A. Employees in Divisions 0, 5, 7, 8 and 9 who were hired on or after January 1, 1985 are not eligible for longevity pay. Employees promoted, transferred, or demoted to the above noted divisions after January 1, 1985 do not receive longevity pay. This does not apply to uniformed (sworn) employees who retire and are subsequently employed without a break in service in one of the Salary Divisions listed above.
  - B. All permanent employees in Divisions 0, 5, 7, 8 and 9 (hired before 1/1/85) or provisional (hired after 3/4/79 and before 1/1/85) full-time (at least  $\frac{3}{4}$  time) employees of the City (except Division 3 – Building Crafts) are eligible based on years of continuous service. All uniformed Fire and Police personnel and all Division 1 employees are also eligible regardless of hire date.
  - C. Years of continuous service are counted from the employee's longevity date that is the date that he was most recently appointed (not most recently promoted) as a permanent or provisional full-time (at least  $\frac{3}{4}$  time) employee.
  - D. Qualifying service must be completed on or before December 31 of each calendar year.
2. The following payments are made once each year on or before December 1 to employees of Salary Divisions 0, 1, 5, 7, 8, and 9. Payment is included in their regular bi-weekly paycheck. The labor-management agreements for uniformed Fire and Police should be referred to for payment schedules.

Years of Service	Div. 1	Div. 0, 5, 7, 8, 9	Fire
8 years	\$250.00	\$275.00	\$475.00
14 years	\$300.00	\$325.00	\$525.00
20 years	\$350.00	\$375.00	\$600.00

Beginning January 1, 1999, all sworn members of the Cincinnati Police Division shall be paid compensation for length of service in the employment of the City of Cincinnati as follows:

- A. After completion of eight (8) years of service, the sum of \$475.00 per annum;

### 3.5 LONGEVITY PAY: (Continued)

- B. After completion of ten (10) years of service an amount to be paid annually equal to fifty dollars (\$50.00) for each year of such service;
- C. After completion of eighteen (18) years of service an amount to be paid annually equal to sixty dollars (\$60.00) for each year of such service;
- D. After completion of twenty-five (25) years of service, an amount to be paid annually equal to one-hundred dollars (\$100.00) for each year of such service;
- E. After completion of thirty (30) years of service, the sum of three thousand dollars (\$3,000.00) per annum.

Said compensation for length of service shall be paid by separate check on or about the first day of December of each year beginning with the calendar year in which the employee completes, on or before December 31, a term as set forth above.

#### 3. **Non-creditable Service:**

- A. Employees classified as seasonal, temporary, student, emergency, or miscellaneous unclassified do not accumulate credit toward longevity pay.
- B. Credit towards longevity pay is not granted for years employed by another Ohio political subdivision, the University of Cincinnati, University Hospital, or the Board of Education.

#### 4. **Break in Service:**

- A. The following are not considered a break in service for longevity pay purposes:
  - 1. Restoration from military service.
  - 2. Returning from layoff or involuntary separation (for other than disciplinary reasons) within one year.
  - 3. Returning from retirement and not receiving retirement benefits.
  - 4. Returning from any approved leave of absence (with or without pay).

### 3.5 LONGEVITY PAY: (Continued)

5. Returning to full-time employment from an interval of part-time employment that was immediately preceded by full-time employment with no break in service (effective 1/1/84).

B. Any other break in service, such as resignation, terminates an employee's continuous service with the City.

#### 5. Separations:

A. In case of death, retirement, or resignation, longevity pay is pro-rated on the number of completed months in a pay status.

B. Employees who resign without proper notice or who are discharged for disciplinary reasons will not receive longevity pay for any portion of that calendar year.

### 3.6 RETIREMENT: An employee planning to retire should notify his agency and the City Retirement Office (Room 240, City Hall) at least two weeks prior to his last day of work.

1. **Effective date of Retirement:** Any employee who wishes to retire shall be retired on the first day of the next month following his application (except Uniformed Police and Fire).
2. **Lump Sum Payment:** For detailed information on how the lump sum is calculated, call the City Retirement Office at 352-3227. The lump sum payment that is subject to the usual taxes and retirement deductions consists of the items listed below:
  - A. **Vacation** – earned up to the day of separation. The unused balance is included in the lump sum payment.
  - B. **Compensatory Time** – any unused balance up to 80 hours (excludes Police and Fire) is included in the lump sum payment.
  - C. **Longevity Pay** – Pro-rated for the current year based on the last full month actually worked and paid as part of the lump sum.

### 3.6 RETIREMENT: (Continued)

#### D. SWP-R (Sick With Pay – Retirement)

1. Non-uniformed employees who meet the required age and length of service minimum (including purchased military time) are paid one hour for every two hours of SWP balance. Up to 1200 hours may be converted to a net maximum of 600 hours. A retired employee who returns to service cannot be paid SWP-R beyond a sum total of 600 hours. No SWP-R is paid on a deferred retirement.
  2. Police who meet the length of service minimum (including purchased military time) and have a SWP balance of 400 hours are paid one hour for every two hours of that balance. Up to 1200 hours SWP may be converted to a net maximum of 600 hours. SWP-R is paid on a deferred retirement if the employee has at least 25 years of service (including purchased military time). A retired employee who returns to service cannot be paid more than a sum total of 600 hours SWP-R.
  3. Fire personnel who meet the length of service minimum (including purchased military time) are paid one hour for every two hours of SWP balance. Up to 1540 hours SWP may be converted to a net maximum of 770 hours. SWP-R is paid on a deferred retirement if the employee has at least 25 years of service including purchased military time). A retired employee who returns to service cannot be paid more than a sum total of 770 hours SWP-R.
3. **Death in Service:** Within sixty days of the date of death, a lump sum payment is made at the rate of pay in effect on the employee's last day actually worked (exclusive of special assignment and shift differential). Please see Chart VIII – Death & Survivor Benefits - for more details. This payment includes:
- A. **Vacation, Compensatory Time, and Holiday Time** (Police and Fire only) – unused balance as of the date of death.
  - B. **Longevity Pay** – pro-rated for the current year based on the last full month actually worked.
  - C. **SWP-R:** (Paid only if the employee has not previously retired from a City position and been paid for SWP.)
    1. **Division 3 Employees:** SWP-R is computed in the same manner as in retirement. If an employee is killed as a result of a specific incident on duty (not as a result of his own negligence) the entire SWP balance is included.

### 3.6 RETIREMENT: (Continued)

2. **Divisions 0, 1, 2, 5, 7 and 8 employees:** the entire SWP balance is included regardless of whether the death was job related. No minimum balance of sick leave is required.

**D. Date of Separation:** The effective date of separation is the day after the last day on the payroll.

**Note:** Supervisors should encourage survivors to contact the Retirement Office, and the Office of Risk Management regarding specific details regarding retirement, and continued health care benefits that may be due.

**3.7 TUITION REIMBURSEMENT:** A full-time (at least  $\frac{3}{4}$  time) permanent or provisional employee is eligible for tuition reimbursement for up to six credit hours per academic session at the rate of: 100% for A, 80% for B, 60% for C (plus and minus grades have no effect on the reimbursement received by the employee). In courses that are graded on a pass/fail basis, 80% tuition reimbursement will be granted for a passing grade and 0% reimbursement for a failing grade provided that:

1. The employee has completed his probationary period before the course begins.
2. The education or training is obtained from an approved, and accredited college, university, secondary school, technical institute, business institute or other institute or school during non-working hours. An agency may allow courses to be taken during work hours provided vacation or compensatory time is used.
3. The course is job related or related to the employee's current position or to his future city development and promotion.
4. Request for reimbursement is filed before course registration using the designated form. The reimbursement is only for tuition expenses. Lab fees, books, etc. are not reimbursable. Funds from the agency's budget must be available.
5. Final determination regarding course relatedness or accreditability shall be made by the Director of Human Resources **before** the request for reimbursement is approved by the department director.
6. A receipt of tuition payment and a grade report is submitted within 30 days after the academic session ends. A grade of at least "C" or equivalent must be achieved in each course.
6. In case of a full-time employee who is also a full-time student paying a flat rate, the amount to be reimbursed will be determined by dividing



### **3.7 TUITION REIMBURSEMENT (Continued):**

the number of hours taken into the tuition or instructional fee (not including any general or special fees) to get the employee's cost per credit hour which will be reimbursed based on the aforementioned ABC scale.

### **3.8 EMPLOYEE PARTICIPATION IN CIVIL SERVICE EXAMINATIONS:**

1. **Open Examinations:** (Also see Civil Service Rules.)
  - A. An employee is entitled to time off from work with pay to take three open examinations (including reasonable travel time) during a 12-month period. Participation in the written, practical, and oral portions of any one examination is considered as only one examination.
  - B. If an employee files to take an examination during working hours, he must notify his supervisor not later than the day following the filing of his application.
  - C. If the examination is scheduled for more than one time, the supervisor determines which session the employee will attend.
  - D. If the examination is also given on the employee's off duty time, he should so inform the Human Resources Department's clerk at the time of filing the application and he will be given preference for that session. Employees are not paid overtime or compensated time for taking examinations.
4. **Promotional Examinations:**
  - A. An employee is entitled to time off with pay to sign up for and compete on any promotional examination for which he is eligible and qualified. Overtime is not paid.
  - B. If the employee takes the exam on his off duty time he receives no compensation for the time spent competing on the exam.

**Note:** It is the employee's responsibility to inform his supervisor of the need for time off to take an examination. Civil Service/Human Resources staff have no authority to release employees for examinations.

**3.9 CREDIT UNION:** City employees may join the appropriate credit union at any time. Savings and loan payments may be made by regular payroll deductions. For additional information call:

Non-uniformed employees: CINCO Credit Union

Uniformed employees: Police Credit Union  
Fire Credit Union

**3.10 DEFERRED COMPENSATION:** Employees who receive a regular bi-weekly paycheck are eligible to participate in either the International City Management Association (ICMA) Retirement Corporation's Deferred Compensation Plan or the State of Ohio Deferred Compensation Plan.

1. A portion of bi-weekly pay is deferred to the Plan and invested on behalf of the employee until he retires or reaches a minimum age of 55 whichever is later.
2. Pay is deferred after city income tax, retirement system contributions and other deductions.
3. Deferred pay is exempt from federal and state income tax until it is received back from the Plan at retirement.

For additional information and application forms contact the agency payroll clerk or the City Retirement Office.

**3.10.1 FLEXIBLE BENEFITS (Section 125, IRS Code):** Employees in Divisions 0, 1, 5, 7, 8 & 9 are eligible to participate in the employee funded Flexible Benefit Plan. This includes options to use pre-tax money for medical and day care expenses. Employees may also purchase group disability and life insurance. Information regarding these plans may be obtained from the Office of Risk Management.

**3.11 UNEMPLOYMENT COMPENSATION:** This benefit is administered by the Ohio Department of Job and Family Services (ODJFS), 1916 Central Parkway.

1. All unemployment compensation forms sent to the employer by ODJFS are to be completed in the agency where the former employee worked.
2. A copy of all forms and correspondence must be sent to the Division of Accounts and Audits as well as the Human Resources Department-Labor Relations Section, at the time that they are forwarded to ODJFS.
3. Questions on eligibility forms, unemployment compensation and on the proper completion of ODJFS forms may be directed to the Human Resources Department-Labor Relations Section or to the ODJFS office on Central Parkway.

### **3.12 ANNUAL SICK LEAVE CONVERSION (BUY BACK):**

1. Time sold back will be deducted from the employee's accumulated balance. Only sick time hours accumulated with service as an employee with the City of Cincinnati may be sold back.
2. Divisions 0, 5, 7, 8 and 9 employees may convert up to 80 hours of unused sick leave to cash at the rate of 2 hours for 1 hour paid if they meet the following criteria:
  - A. Have a sick leave balance of 800 hours or more, OR
  - B. Have a sick leave balance of from 200 to 799 hours and have used 24 hours or less sick leave in the past 26 pay periods of the preceding year. SWP-D, SWP-MDL (medical/dental leave), and FMLA time off are not counted in determining the 24-hour criteria.
3. Payment will be made at the rate of pay in effect in pay period 26 by separate check.
4. Division 1 and 2 employees also may receive payment in cash for unused sick leave (sick leave conversion). (See appropriate labor-management agreement for details).

### **3.13 EMPLOYEE BREAKS:**

Supervisors may grant employees work breaks of not more than fifteen minutes for each four hours of work. These breaks may be granted at the discretion of the supervisor and must not interfere with the normal work of the agency and its service to the public. Breaks may not be taken at the beginning or end of the work day nor to extend the lunch period.

### **3.14 EMPLOYEE LUNCH PERIODS:**

Employees should be granted a lunch period during each shift. This lunch period should be at least 30 minutes long, but no longer than 90 minutes. The exact beginning and ending of the lunch period may be determined by the supervisor based on the business needs of the work unit. The primary goal is to accomplish the mission of the agency and to serve the public. Employees may be required to eat at their work stations while performing their duties. Such employees must be paid and their total work time should not exceed the normal shift. Agencies that require employees to work through lunch must have a written policy outlining who is required to work through lunch and controlling the practice.

## **CHAPTER 4 – PERFORMANCE RATINGS**

### **4.1 PERFORMANCE RATINGS:**

The performance rating is a measure of how well the individual has progressed on the performance goals agreed to at the beginning of the performance review period. The written review is a summary of the performance-related information collected during the review period. The performance appraisal meeting between the supervisor and the employee includes a discussion of the written appraisal as well as discussion of performance goals for the next period.

Every classified Civil Service employee as well as full-time unclassified employee must be rated once a year on the prescribed forms. Police and Fire use different rating forms and systems; consult with those agencies for specific information. Department and Division Heads also use different rating forms and systems; consult with the City's Human Resources Department for specific information. All of the rating systems have been approved by the Civil Service Commission. Also, see Civil Service Commission Rules.

#### **WHEN ARE RATINGS MADE?**

1. Once a year, on the employee's anniversary date. The employee's anniversary date is based on the original hire date, last promotion, demotion, or reclassification date.
2. Two weeks before the end of his probationary period. (See Civil Service Rule X). A mid probation progress report is required at the half way point of probation.
3. **DO NOT** make an annual rating on any employee currently on probation, or whose probationary rating is less than two months old.
4. Special Ratings may be requested by the Human Resources Department. They are not routinely requested and are not designed to provide "interim" ratings because of employee transfer or reassignment. Special ratings are often requested when the employee has not received a rating recently.

### **4.2 WHO IS THE RATER?**

The immediate supervisor who gives the employee his assignments is in the best position to know how well he carries them out. If an employee works for more than one supervisor during a rating period he should be rated by the two persons who have supervised him for the majority of the time.

### **4.3 WHO IS THE REVIEWER?**

The reviewer is usually the next higher supervisor. His primary function is to maintain consistency among the ratings of the several raters under his supervision.

### 4.3 WHO IS THE REVIEWER? (Continued)

All supervisors are required to take the Employee Performance Evaluation System training. At this training, supervisors receive a training manual. In addition, performance evaluation information is available from the City's Intranet. This information is available from the Human Resources Department website on the Intranet at <http://citynet.rcc.org/pers/mainper1.html>

If the reviewer disagrees with the rater's marks, he must comment on why he disagrees. The reviewer shall not change the rating of the rater.

### 4.4 STEPS OF THE NEW PERFORMANCE APPRAISAL SYSTEM:

#### **Step 1:** Review and Develop Job-Related Core Competencies

Job-related core competencies are the skills, behaviors, and tools necessary for the individual to make a meaningful contribution towards meeting the overall business goals of the organization.

#### **Step 2:** Set Performance Expectations – (Smart) Goals for the Evaluation Period

Performance expectations further define job related core competencies. Performance expectations translate core competencies into tasks, skills and abilities that are needed to perform work on a day-to-day basis. If an employee is expected to behave, perform or contribute in a certain way, those expectations must be made clear to the employee. Use the Performance Expectation - (Smart) Goals Worksheet to perform this function.

#### **Step 3:** Complete Initial and Interim Performance Appraisal Form

#### **Step 4:** Review and Document Progress – Conduct Interim Performance Appraisal

Review and document progress at intervals defined on the Initial and Interim Performance Appraisal Form.

#### **Step 5:** Employee Self-Review and Supervisor Review of Employee Performance

#### **Step 6:** Conduct Annual Performance Appraisal Using the Annual Employee Performance Evaluation Form

In each category of the rating sheet, rate the employee as “exceeds expectations,” “meets expectations,” or “does not meet expectations.”

#### **Step 7:** Conduct the Performance Appraisal Discussion

The purpose of the evaluation discussion is to evaluate past performance, agree on ways to become more effective and establish goals for the future.

#### **Step 8:** Closing the Performance Appraisal Process – Determine Goals for the Following Year

#### **4.4 STEPS OF THE NEW PERFORMANCE APPRAISAL SYSTEM: (Continued)**

Remember, as a supervisor, ratings are one of the most important things you do. They directly affect your employees jobs, promotions, and transfer opportunities. They are more than just the formal feedback required by Civil Service law. They document what the employee has accomplished during the rating period. They should never be taken lightly either by you or by the employee.

Good rating takes good preparation on your part. Ratings should be viewed as a continuous process which goes on throughout the rating period. As a supervisor you should be giving feedback, obtaining suggestions, and offering assistance throughout the period. An employee who gets a poor rating should not be surprised! This method also makes the formal rating much easier on you. It is very difficult to support giving a poor rating when you have not discussed performance during the rating period. If an employee is not performing up to expectations, the supervisor has the responsibility to inform the employee. A Performance Improvement Plan (PIP) form should be completed to let the employee know improvement is needed.

##### **Here are some suggestions:**

1. Allow ample time for the rating process.
2. Work in a quiet place without interruptions or distractions from the normal day-to-day work.
3. Review a blank rating form, clear up any questions about how to fill it out.
4. Assemble all facts, figures, commendations, disciplinary actions, counseling, etc., so that you have the information necessary to review the employee's performance.
5. Get any help that you feel you need. Consult with your supervisor or your Personnel Section for guidance.

**Record Keeping:** Keeping regular records of performance will assist you in completing the rating form. Write down "critical incidents" during the rating period. These are incidents, both good and bad, which occur on the job. Examples would be items such as the completion of a difficult assignment, a good suggestion on how to do a job, dealing with a member of the public in a tactful manner, or a reprimand.

Occasionally, a situation will exist where an employee is the subject of a reprimand or some other disciplinary action near the beginning of the rating period. However, after the action is taken the employee improves their performance and there is no reoccurrence of the incident or behavior. It is important to keep in mind that the rating covers the entire period and that the purpose of discipline is to correct improper behavior. In such a situation the disciplinary action should be noted in the comments section with a statement noting the improvement in performance since the disciplinary action. Such an incident should not stand in the way of fairness to the employee.

##### **Other rating suggestions:**

1. Rank your employees from those exhibiting the highest performance to those who need the most improvement.

#### 4.4 STEPS OF THE NEW PERFORMANCE APPRAISAL SYSTEM: (Continued)

2. Remember you are not rating personalities but performance. Do not let your personal like for an employee cloud your performance rating.
3. Discuss the possible ratings with the employee informally before you actually rate. The employee may discuss their strengths as well as weaknesses.
4. Have the employee complete a blank rating form on themselves. Many times employees are most honest about their own performance.

#### 4.5 THE THREE POSSIBLE OVERALL RATINGS ARE:

- A. **Does Not Meet Expectations:** This is the lowest possible rating. The employee has been either unable or unwilling to meet reasonable job requirements. Written comments must show examples of his unsatisfactory work. The rating tells the employee that unless he improves, you will have to take some action to reassign and/or discipline him.
- B. **Meets Expectations (Valued Employee):** This is where most employees belong. It tells the employee that he is doing a satisfactory job throughout the rating period. The overall rating might be "Meets Expectations" even though some of the individual marks are exceed expectations or do not meet expectations. The overall rating of both the rater and the reviewer must be either "meets" and "meets" or "meets" and "exceeds" in order for the Salary Division 0, 5, 8, etc. employee to receive a 3% increase.
- C. **Exceeds Expectations:** This is the top rating. The employee who deserves this rating does everything right consistently throughout the entire rating period. There is no room for improvement. This rating is so rare that it must be accompanied by comments which describe the outstanding work. The overall ratings of both the rater and the reviewer must be "exceeds expectations" in order for the Salary Division 0, 8, etc. employee to receive a 6% salary increase (if not already at salary maximum).

#### 4.6 HOW TO COMPLETE AND PROCESS PERFORMANCE RATING FORMS:

1. The supervisor will receive one form for each employee with the employee's name and sick leave usage already typed on by the personnel unit for his agency.
2. Using the guidelines discussed above, the supervisor completes the form and forwards it to the reviewer who fills in "Reviewer's Overall Rating" with a numerical grade.

#### **4.6 HOW TO COMPLETE AND PROCESS PERFORMANCE RATING FORMS: (Continued)**

3. Upon receiving the form back from the reviewer, the supervisor should personally deliver the form to the employee.
4. The employee should be invited to schedule a meeting with the supervisor to discuss the rating after he has had an opportunity to study it.
5. The employee returns the signed form to the supervisor. The employee's signature indicates only that the employee has seen the rating.

#### **4.7 DISCUSSION WITH EMPLOYEE:**

A private discussion with the rated employee is essential to the successful completion of the rating process. It should be initiated by the supervisor as part of the process of rating. After you have completed the rating form (including the review by the Rating Reviewer) the employee should be contacted and a time and place established to conduct the discussion. This discussion should take place with all rated employees regardless of the rating given.

##### **Here are some suggestions:**

1. Be open to hearing the employee's side of the situation in discussing poor performance. Allow time for the employee to fully explain and justify his performance.
2. Keep the discussion focused on the work performance and the rating itself.
3. Avoid argument and hostility.
4. Start the discussion on a favorable note. Talk about the good traits or performance that the employee has exhibited during the rating period.
5. Support your rating and judgment with facts and examples. This is where your documentation and records can help greatly. Remind the employee of past discussions about performance.
6. Remind the employee that the rating is for the entire time period and for the total performance during that period. It is not based upon some recent incident, positive or negative.
7. Suggest how good performance can be maintained and poor performance can be improved.
8. Work with the employee to develop goals for the coming rating period which are designed to improve performance.
9. Establish an ongoing process of performance review with the employee during the upcoming rating period.
10. If you have made an error, admit it, and make sure it is corrected both with the reviewer and on the rating form.



#### **4.7 DISCUSSION WITH EMPLOYEE: (Continued)**

After your discussion, if the employee is not satisfied, the employee may meet with the reviewer to discuss the rating. Do not be offended by this request, it is the employee's right to ask for such a meeting. Be helpful in arranging the meeting.

The employee may also appeal the rating through various other methods including the Administrative Regulation (management employees), grievance, or Civil Service processes.

#### **4.8 PROBATION RATINGS:**

A probation performance rating should be completed near the end of the probationary period. This time period varies depending on the classification the employee is serving in. Probation time periods range from four to 12 months duration. It is important that you know the length of the probationary period for your employees.

Probation periods are required for all newly appointed classified employees, both from open (outside) and promotional lists. Probation periods are not given to employees who are transferred or accept demotions (voluntary or involuntary).

An interim probation report must be completed at the half way point by the supervisor. The purpose of this report is to document that the employee knows of his progress during the probationary period. However, the supervisor should be working with and giving feedback to the employee on a frequent basis during the probationary period. The probation evaluation is one of the most critical things that a supervisor does. It is absolutely vital that an accurate and fair evaluation be given to the employee and that the rating reflect the employee's ability to perform the job in future years.

Procedures for completing the probationary rating are the same as for the annual or special ratings. However, the rater must keep in mind that the employee is still learning the job. The quality and quantity of work will be affected by the process of learning the duties of the job thoroughly.

Current Civil Service Rules stipulate that the probationary rating must be given to Commission staff not later than ten days prior to the end of probationary period. The Civil Service Rules provide additional discussion and information regarding probations and the submission of probationary ratings.

#### **Conclusion**

Performance ratings are very valuable in documenting employee performance but they are only one of the tools available to supervisors. Nothing can take the place of daily, face to face, instruction, guidance, and leadership to employees. Supervisors are responsible to give feedback to employees on both the positive and negative aspects of performance throughout the year, not just at ratings time. The earlier negative practices are dealt with the less chance that they will become habits and then problems in the future.

## **CHAPTER 5 – DISCIPLINARY OR CORRECTIVE ACTION**

### **5.1 THE CITY’S POLICY:** See also Civil Service Rules and the Supervisor’s Disciplinary Handbook.

1. An employee may be disciplined for the following reasons: failure of probation, incompetency, inefficiency, dishonesty, insubordination, neglect of duty, failure of good behavior, substance abuse, excessive absenteeism, violation of the Civil Service Rules or violation of the Code of Ethics. Examples of the types of acts for which employees may be disciplined include: theft of City property, fighting, tardiness, failure to carry out a lawful order, gambling, failure to follow safety rules, charge or conviction for a criminal charge, intimidating employees or the public, discourteous treatment of the public, falsifying applications or reports and an accumulation of minor infractions. This list is not intended to be all inclusive, but to give examples of unacceptable behavior. If an employee holds more than one City position, the employee shall be subject to appropriate disciplinary action affecting each of these City positions.
2. Disciplinary or corrective actions will be fairly, impartially, and consistently carried out.
3. Supervisory personnel are responsible for assuring that their employees know and understand the City’s standards of behavior and that violating such standards will result in appropriate disciplinary action.
4. The purpose of discipline is corrective rather than punitive; it should encourage employees to correct job behaviors that are jeopardizing their City employment.
5. In keeping with this philosophy, supervisors may refer employees to the Public Employees Assistance Program (PEAP) in lieu of or in addition to disciplinary action. See PEAP General Information Folder for details.
6. Possible corrective measures:
  - A. Referral to Public Employees Assistance Program (PEAP).
  - B. Forms 27S and 480 in Police and Fire Divisions.
  - C. Individual counseling.

The above actions are corrective instruments rather than punitive. They are designed to call the employee’s misbehavior and/or poor performance to his attention at an early stage and to encourage him to obtain the assistance necessary to overcome any underlying problems.

## 5.1 THE CITY'S POLICY: (Continued)

When used as an initial step, they provide management with the flexibility to properly handle personnel problems. It is important to bring problems to the attention of employees at the earliest opportunity and to provide remedial instruction in order to help the employees improve performance.

Further corrective action against an employee enrolled in a PEAP treatment program is discouraged provided that the employee is cooperating and making progress. The employee's problem and treatment are held in strictest confidence by PEAP. However, PEAP will provide the employing agency with periodic reports on the employee's progress. Employees who do not cooperate with PEAP will be terminated from treatment and should be processed through the traditional corrective or disciplinary procedures.

### 7. Possible Corrective Actions:

#### A. Minor Actions.

1. Oral Reprimand.
2. Written Reprimand.

Reprimands may be given by a supervisor without a pre-disciplinary hearing. Supervisors should consult with their supervisor and/or their agency personnel section prior to issuing the reprimand. Written reprimands should be issued on the official City form that should be completed fully. A copy of a written reprimand that is issued to a Salary Division 1 employee must be given to the union steward who represents the employee. For Salary Division 1 employees, the written reprimand must be given within 30 days unless it is the result of a pre-disciplinary hearing. All written reprimands **must** be entered into CHRIS (Refer to the appropriate CHRIS documentation on the CHRIS Intranet site).

#### B. Major Actions.

1. Suspension.\*
2. Demotion.
3. Loss of part or all of vacation.\*
4. Loss of holidays.
5. Reduction to lower pay steps within a pay range (either for a specific time period or permanently).
6. Dismissal from City service.

\* Exempt employees must be suspended or lose vacation in increments of forty (40) hours. Thus the minimum loss of either is forty (40) hours.

- 5.2 AGENCY HEARING AND REPRESENTATION:** Classified, and bargaining unit employees cannot be disciplined (except for oral and written reprimands or failure of probation) without a hearing by the designated hearing officer. See also Civil Service Rules concerning appeals to the Commission.

The purpose of the hearing is twofold: management presents its charges to the employee and the employee has an opportunity to respond. Based upon the recommendation of the hearing officer and the facts and circumstances of the case, the agency head determines the extent of disciplinary action, if any, based on the facts brought out in the hearing.

A continuance for a reasonable period may be granted at the request of the employee or his representative. No continuance may be granted to await the outcome of a court hearing.

Pre-disciplinary hearings are conducted by Hearing Officers appointed by the City Manager, approved and trained by the Human Resources Department.

1. **Employee Notification and Representation** – The employee must be notified in writing at least 5 working days prior to the date of the scheduled hearing. The notification should state the charges in general terms and advise the employee of his right to representation at the hearing.
2. **Employee Waiver** – An employee can waive his right to a hearing in writing. A copy of the waiver must be attached to the disciplinary papers.
3. **Union Notification** – If the employee is in Division 1, written notice of the reasons for the disciplinary action must be given to the Union staff representative at least 5 working days prior to the date of the scheduled hearing.
4. **Suspension Pending a Formal Hearing** – In cases where it is necessary to protect employees, the public, or City property it is possible to suspend an employee pending a Formal Hearing. A short Due Process Hearing must be held before the employee is suspended. The supervisor imposing the suspension without pay must inform the employee of the charge(s), provide the factual basis of the charge(s), give the employee an opportunity to respond, and advise the employee that a Formal Disciplinary Hearing will be held within five working days.

## 5.2 AGENCY HEARING AND REPRESENTATION: (Continued)

Whether verbal or written, the fact that the hearing or the opportunity for the hearing was provided and the substance of the hearing should be documented and included in the file record for the disciplinary proceeding. If challenged, the department must be prepared to document that the opportunity for required hearing was given before the suspension was imposed.

Once the employee has been removed, steps should be taken to schedule a formal pre-disciplinary hearing. This is accomplished by sending the employee a letter containing the following information.

1. Statement of the charges.
  2. The fact that he/she is entitled to representation.
  3. The date, time and location of the hearing.
5. **Summary of Hearing** – A written summary of the agency hearing must contain the following:
- A. The date of the hearing.
  - B. The names and titles of those present including the representative of the employee, or a notation that representation was waived.
  - C. The charge(s) against the employee.
  - D. A statement from the supervisor substantiating the charge(s).
  - E. A statement from the employee should he wish to make one or a notation that he did not choose to make a statement.
  - F. The recommended penalty or resolution of the charge(s).
6. **Form 32-S (Notice of Disciplinary Action, Separation, or Layoff):**
- A. Following the agency hearing a Form 32-S must be prepared for any corrective action more severe than a written reprimand. The charge must be substantiated and an appropriate disposition recommended. Prior corrective actions or counseling involving the employee must be specified on the Form 32-S Attachment page.
  - B. The Form 32-S, with the summary of the hearing attached, is then forwarded first to the Law Department for legal review and then to the Human Resources Department for equity review (copy the Office of Administrative Hearings/EEO/AA Office), prior to final action by the appointing authority (City Manager or

## 5.2 AGENCY HEARING AND REPRESENTATION (Continued):

Independent Board/Commission). For Salary Division 1 employees, the Union must be notified within 50 working days of the date of the request for a hearing about the discipline approved by the appointing authority.

- C. The employee should be informed of his appeal rights, if any, to the Civil Service Commission or through the grievance procedure.
- D. All Form 32s must be entered into CHRIS (Refer to the appropriate documentation on the CHRIS Intranet site).

### 7. **Exceptions:** Full-time employees may be disciplined without an agency hearing:

- A. If the disciplinary action is an oral or written reprimand.
- B. If the employee is dismissed or demoted for failure of probation during the second half of the probationary period.

### 8. **Forfeiture of Public Employment:**

- A. The Ohio legislature recently passed a law (Ohio Revised Code 124.34) stating that a person convicted of certain felonies, as defined by statute, will “immediately forfeit the person’s status as a classified employee in any public employment on and after the date of the felony conviction.” The statute further states that such an individual will not have the right to appeal to the state personnel board of review or a local civil service commission. Further, if the individual has been previously disciplined for the underlying facts that gave rise to the felony charge, the individual will still forfeit his or her position upon being convicted of the felony. Since this is not a retroactive statute, it would only apply to persons convicted of these statutorily defined felonies on or after March 30, 1999.
- B. City departments are directed to contact the Human Resources Department upon learning of any felony conviction by one of their employees so that a proper analysis can be conducted to determine whether a particular felony falls within the parameters of the new statute. Supervisors are directed to immediately notify their department or division head if such information comes to their attention so that appropriate disciplinary charges may be brought in a timely manner.

### **5.3 SUBSTANCE ABUSE POLICY AND PROCEDURE:** (also see Administrative Regulation 52)

1. No City employee shall use, possess, or be under the influence of alcohol, drugs, or other illegal substances during work hours. Employees should not be impaired while at work. Such impairment is not only a violation of good conduct, but is also a serious safety concern both for the employee and co-workers.
2. Employees who are reasonably suspected of substance abuse or have a vehicular accident resulting in the employee receiving a citation/loss of life shall be treated in accordance with Administrative Regulation 52. First offense in an uncomplicated situation (e.g., no serious injury or accident) should be referred for appropriate treatment/counseling. Self admissions of substance abuse should be handled as treatment/rehabilitation problems, not disciplinary actions. Admission of substance abuse in the face of possible disciplinary action may, however, still result in appropriate disciplinary action being taken.
3. Employees who are reasonably suspected of substance abuse or have a vehicular accident resulting in the employee receiving a citation/loss of life should be referred to the contract clinical laboratory for testing (see Administrative Regulation 52 for a complete discussion of the procedure). The supervisor is responsible for transporting the suspected employee to the testing site and for the employee's and public's safety. Failure on the part of the employee to submit to a properly ordered test/shy bladder, etc. is insubordination and subject to disciplinary action. The contract clinical laboratory is available 24 hours a day.

### **5.4 FIREARMS AND WEAPONS:**

The possession of any type of firearm or weapon at work, on City property or at City job sites is prohibited. The only employees authorized to possess firearms or weapons at work are sworn police officers and those fire officers and Water Works guards specifically authorized to do so. Employees who are not authorized for such possession and are found to either use or possess firearms or weapons shall be subject to disciplinary action.

### **5.5 OFF-THE-JOB PERSONAL MISCONDUCT:**

If a City employee is involved in off-the-job misconduct, his agency should investigate and make appropriate disposition of the matter without regard to other pending action such as awaiting the results of a court appearance. An employee charged with criminal activity may be disciplined if, after review of the documentation and evidence, the agency feels the alleged criminal activity is substantiated and warrants discipline.

## **5.5 OFF-THE-JOB PERSONAL MISCONDUCT: (Continued)**

Some factors to consider:

1. Can the employee still satisfactorily perform his job?
2. What effect will his continuing to work have on other City employees?
3. Would continued employment be hazardous or offensive to the public?

## **5.6 APPEALS TO THE CIVIL SERVICE COMMISSION:** See the Civil Service Rules for a full discussion of the conditions under which appeals may be made and the proper procedure to follow.

Fire and Police sworn personnel, and Salary Division 1 employees may appeal corrective or disciplinary action that is appealable to the Civil Service Commission, or through the grievance procedure. If they choose the grievance procedure, it could ultimately result in arbitration. See the appropriate labor-management agreement for specific information.

## **5.7 REMOVAL OF DISCIPLINARY ACTIONS FROM EMPLOYEE RECORD:**

1. See appropriate labor-management agreement for removal criteria for union employees.
2. Disciplinary actions are not routinely deleted from the personnel files of Divisions 0, 5, 7, 8 and 9 employees. Appointing authorities may direct that disciplinary actions be removed from the personnel files of these employees.

**NOTE:** Oral and written reprimands may be removed at any time at the request of the agency. Exemplary improvement may be rewarded by a request for early removal of such records.

## **5.8 SEPARATION FROM PAYROLL FOLLOWING DISMISSAL:**

1. All separations from an agency payroll are done by the agency via the CHRIS System and forwarded to the Human Resources Department.
2. **Payment of Retirement System Contributions** – Application for Return of Contribution is made on Form 10 in the Retirement System Office.



## **CHAPTER 6 – COMPENSATION**

- 6.1 FEDERAL, STATE AND CITY INCOME TAXES:** Federal Law requires each employee to file Form W4 declaring his number of exemptions. Changes in exemptions are entered in the CHRIS System and forward directly to the Human Resources Department. City income tax is at the rate of 2.1 percent of gross pay, with no exemptions. Federal Law also requires that all employees hired after March 31, 1986 pay 1.45 percent of their pay for Medicare. The City matches this amount.

State Law requires the withholding of municipal income or school income taxes if the employee lives in such a location.

**6.2 CHARITABLE DONATION DEDUCTIONS:**

1. Each employee must be given an opportunity to sign a payroll deduction authorization card for City-approved charities.
2. The employee may revoke the authorization at any time by notifying the Director of Finance in writing.
3. Payroll Deduction authorization cards are maintained by the Finance Department for a period of three years.

**6.3 THE COMPENSATION PLAN:** The compensation rate of job classes is set by City Council resulting from negotiations with bargaining representatives where applicable, or recommendations by the Human Resources Department, which are approved by the City Manager.

1. The compensation rates established by Council ordinance are published in Section 307 of the Cincinnati Municipal Code and are available in CHRIS.
2. All requests for new classifications or salary adjustments for existing classifications must be submitted by the agency head to the Human Resources Director for review.
3. Major factors affecting pay levels:
  - A. Comparison of related, similar, or equivalent responsibilities and requirements of job classes in the City service;
  - B. Comparison of pay levels, responsibilities and duties with other public agencies and private industry;
  - C. Ability to attract qualified applicants.

### 6.3 THE COMPENSATION PLAN: (Continued)

4. The pay ranges usually include minimum, intermediate, and maximum rates with salary advancement for satisfactory performance on an annual basis until the maximum step is reached.
5. The rate of pay for new hires is the base rate for the classification to which they are appointed. In cases where a new hire possesses exceptional qualifications or experience, an agency head may place the new hire at a rate higher than minimum salary. In cases where the new hire is placed at a rate higher than the minimum rate, the agency head shall take into consideration internal equity with regard to pay rates for longer-tenured employees. In all cases, the agency head shall be responsible for determining the pay rate for the initial pay for new hires.

### 6.4 INCREASE WITHIN PAY RANGE: General salary increases passed by Council ordinance are automatically processed by the Human Resources Department.

1. **Policy on Salary Increases:** Step-ups and salary increases are not automatic. Employees may advance to the next higher pay rate after demonstrating the prescribed standards of efficiency and meritorious service. The City Manager has the authority to monitor and control the awarding of step-ups and salary increases.
  - A. Employees should be free of problems involving discipline, attendance, and tardiness during the previous year.
  - B. **Divisions 0, 5, 8, and 9:** In-range increases are made upon the recommendation of the department head. In-range salary increases are made annually on the employee's anniversary date.
  - C. **Divisions 1, 2, and 3:** In-range pay increases for employees in Salary Divisions 1 and 2 are governed by their labor-management agreements.
2. **Increase Procedure:**
  - A. **Step-Up and Salary Increase Date:** If approved, a salary increase or step-up shall become effective on the first day of the anniversary pay period of the employee's date of hire, date of promotion, or most recent step-up or salary increase.

#### 6.4 INCREASE WITHIN PAY RANGE: (Continued)

- B. **Step-Up Form:** It is the responsibility of the Agency to keep up with the date step-ups and increases are due. The Agency can run a step-up report from CHRIS that has signature lines for approval. Once approved by the supervisor, the Agency enters the information into CHRIS. No formal step-up forms are sent out by the Human Resources Department or by the Regional Computer Center (RCC).

#### 3. Increases for reinstated employees:

- A. They may be started on the same step or salary level that they were on when they resigned or at a lower step or salary level.
  - B. They are given a new step-up or salary increase date effective their first day back on the payroll.
- 4. **Increases for employees recalled from layoff:** They start at their old salary rate and receive credit for time worked at that step or salary level prior to the layoff.
  - 5. **Increases for employees restored from military service:** They receive credit towards step-ups or salary increases for the entire length of their military service as if they never left City employment. Therefore, the step or salary level to which they are restored is determined by the total number of years since their last anniversary step-up or salary increase date.

#### 6.5 SALARY ADJUSTMENTS DUE TO PROMOTION, RECLASSIFICATION, OR APPOINTMENT FROM OPEN

**EXAMINATION:** The Civil Service Commission determines whether a change from one class to another is a promotion or a reclassification. (See Civil Service Commission Rules)

- 1. **Salary when promoted:** For employees in non-represented classes (Divisions 0, 5, 7, and 8) upon promotion to a classification in a higher salary range, employees should be placed in the new range so that at least a 5% increase in pay results, unless such an increase would exceed the maximum rate of the range for the promoted classification. In cases where a promotee possesses exceptional qualifications or experience, an agency head may place the employee at a higher rate. (not to exceed 10%) In cases where the promotee is placed at a higher rate, the agency head shall take into consideration internal equity with regard to pay rates for longer-tenured employees. For Division 1 employees, the rate of pay for new promotees is the base rate for the classification to which the employee is promoted, unless the base rate of the promoted classification is lower than the employee's previous salary rate. In such case, the Division 1

**6.5 SALARY ADJUSTMENTS DUE TO PROMOTION, RECLASSIFICATION, OR APPOINTMENT FROM OPEN EXAMINATION: (Continued)**

promoted employee's salary rate shall be the next higher salary step that is not lower than the employee's previous salary rate.

2. **Salary when reclassified:** The employee's salary should be fixed at the same rate as in his former classification if such a rate exists; otherwise, at the next higher rate than his previous rate (for management, a 5% salary increase).
  - A. If reclassification resulted in no increase in salary then the employee's former anniversary step-up or salary increase date (date of his last promotion) still applies.
  - B. If reclassification resulted in a promotion with an increase in pay and the employee's current pay rate (not including shift differential or other premium pay) is within the new range, then his step-up or salary increase date will change to the effective date of reclassification/promotion.
  - C. Employees reclassified or promoted as a result of obtaining an Ohio Plant Operator license shall keep the previous step-up or salary increase date.
3. **Salary when changing classification by open exam:**
  - A. If the new classification has a higher maximum rate and the employee's current pay rate (not including shift differential or other premium pay) is already within the new range, then his pay is set at the next higher pay rate. (For management, the promotion pay policy in Section 6.5.1 shall apply).
  - B. If an employee moves to a classification that has the same or lower maximum rate and the employee's current pay rate (not including shift differential or other premium pay) is within the new range, then his pay remains the same.
  - C. If an employee moves to a classification that has a lower maximum rate than his current pay rate, his pay is set at the maximum rate for the new classification.

**6.6 TEMPORARY PROMOTION, TEMPORARY TRANSFER PAY, AND OUT OF CLASSIFICATION PAY:** Employees are required to perform temporarily assigned duties of which they are capable regardless of their usual or customary job assignments. (See Civil Service Commission Rules and applicable labor-management agreements for the conditions under which such temporary assignments may be made).

1. **Temporary Promotion:** Temporary promotions are made in the case where there is a vacant position of a higher level or in the case where an employee is replacing another employee who is off on extended and approved leave. The employee is officially promoted to the higher classification. He carries the new title, receives the higher rate of pay, and earns the fringe benefits associated with that classification for the duration of his temporary promotion. He is also entitled to a pay step-up or salary increase in that higher classification after one year of continuous service in the position to which he has been temporarily promoted. Should the employee be permanently promoted, his anniversary step-up or salary increase date becomes the effective date of the temporary promotion.
2. **Temporary Transfer Pay:** Temporary transfer pay is designated on the Payroll Attendance Report (PAR) with the appropriate earnings code. The employee remains on the first pay step that provides an increase for as long as he is temporarily transferred. Temporary transfers cannot be made in the face of an eligible list when a permanent vacancy exists. Nor can it be paid for a civilian employee to perform some duties of a sworn Police Officer or Fire Fighter nor can a sworn Police Officer or Fire Fighter be paid to perform some duties of a civilian employee.
  - A. **Division 1:** This is a negotiated compensation matter rather than a Civil Service action. Provisional, permanent, and seasonal employees are eligible for temporary transfer pay; hourly employees in Division 4 are not eligible. See the labor-management agreement for details.
  - B. **Divisions 0, 5, 7, 8 and 9:** Are not eligible to receive temporary transfer pay.

**Please Note:** This policy does not mandate the awarding of temporary transfer pay in all circumstances. The duties of a temporarily vacant position may be assumed by another equivalent or higher level management employee if the agency so desires. Temporary transfer should not be used to fill a permanent vacancy except during the time period before an eligible list is established; also, it may not be used in lieu of a reclassification.

3. **Out of Classification Pay (For Uniformed Fire Personnel Only):** See Fire labor-management agreement for details. This is a negotiated compensation matter rather than a Civil Service action.

## **6.6 TEMPORARY PROMOTION, TEMPORARY TRANSFER PAY, AND OUT OF CLASSIFICATION PAY: (Continued)**

4. **Out of Rank Pay (Uniformed Police Personnel Only):** See the Police labor-management agreement for details. This is a negotiated compensation matter rather than a Civil Service action.

Please note that this policy does not mandate the awarding of temporary transfer pay in all circumstances. The duties of a temporarily vacant position may be assumed by another equivalent or higher level management employee if the agency so desires. Temporary transfer should not be used to fill a permanent vacancy except during the time period before an eligible list is established; also, it may not be used in lieu of a reclassification.

## **6.7 SPECIAL ASSIGNMENT PAY (S/A PAY):** Employees who are occasionally required to perform specific and clearly defined duties outside of and above those normally required of that classification may receive S/A pay with the approval of the Human Resources Department. It is not to be used in lieu of reclassification or to be given to Division 8 employees.

1. Upon written request from the agency, Human Resources determines the proper level of S/A Pay (if any). No S/A pay may be given until the determination process has been completed.
2. Special assignment is paid only for hours actually worked in the assignment and may not be paid for a holiday not worked or when an employee is on vacation or any other leave of absence. See Section 6.10 Subsection 1 (C) for compensation of S/A Pay when the employee is in an overtime status.

For employees in non-represented classes (Divisions 0, 5, 7 and 8) all special assignment pay, unless specifically authorized by the City Council, ceased upon implementation of the classification and compensation study in January 1999. No additional special assignment pay shall be awarded.

## **6.8 WORK WEEK:** Full-time employees normally work five 8-hour days each week. Please see the labor-management agreement for information on the bargaining units. Exceptions must be approved by the Human Resources Director or authorized by contract.

1. **Standard Shifts:** The work day extends from 12:01 a.m. to 12:00 midnight for shifts ending prior to 6:00 p.m.
2. **Non-Standard Shifts:** The work day is determined by adding eight hours prior to and after the shift assignment. Agency heads may make minor time adjustments; major exceptions must have the prior approval of the Human Resources Department.

## 6.8 WORK WEEK: (Continued)

3. **Flexible Work Hours:** (Also see 6.10, 4A) Agencies may establish more flexible work schedules for exempt management personnel. These policies must be in writing and on file with the Director of Human Resources. The policies may allow exempt employees to work more or less than 8 hours per day, provided that not more than 80 hours are worked in any one pay period. All hours must be paid at the straight time rate. Exempt management personnel are those listed in Divisions 0, 5, 7, 8 and 9 of the Salary Schedule. Important Note: Some classifications in Division 0 and Division 9 are not exempt from the provisions of the federal Fair Labor Standards Act (FLSA). These classes, which are noted in the Salary Schedule, may not work more than 40 hours in any one work week.

## 6.9 SHIFT DIFFERENTIAL: See the appropriate union labor-management agreement for details.

1. Part-time (less than  $\frac{3}{4}$  time) employees are not eligible for shift differential.
2. Salary Divisions 0 and 9 employees directly supervising the shift work of Salary Division 1 employees are paid the appropriate shift differential rate.
3. Salary Divisions 5, 7 and 8 are not eligible.

## 6.10 OVERTIME: No employee may schedule his own overtime; it must be approved in advance by his supervisor. The accumulation rate and compensation of overtime hours varies by Division of the Salary Schedule and exempt/nonexempt status under the Fair Labor Standards Act (FLSA). Exempt/nonexempt status under FLSA cuts across bargaining unit and salary division categories. The City's Salary Schedule lists the status of each title in City service; this information is also included in the CHRIS System's Salary Grade Table.

Overtime may be paid either in cash or compensatory time at the discretion of the supervisor or agency, unless the method of payment is specifically mandated by these policies or applicable labor agreement. Supervisors may require employees to use compensatory time to reduce outstanding compensatory time balances. Supervisors should provide reasonable periods during which it should be used. If an employee fails to schedule and use the compensatory time during the reasonable periods suggested, supervisors should inform the employee that it must be used within the designated period. If an employee fails to use the compensatory time within the designated period, the supervisor should schedule the time off, and then order the employee to use it at the specified time.

## 6.10 OVERTIME: (Continued)

When an employee requests to use FLSA compensatory time, the request must be honored within a reasonable period of time. When determining what is a reasonable period of time, supervisors should consider the following factors: the normal work schedule of the department; based on past experience, anticipated peak work loads during the time requested off; any emergency requirements for staff and services during the time requested; the availability of qualified substitute staff.

Requests for FLSA compensatory time off shall be honored unless to do so would be unduly disruptive to the agencies' operations. In other words, would the approving of the compensatory time off impose an "undue hardship" on your agency's ability to provide services acceptable quality and quantity for the public during that employee's absence? The need to pay overtime is not an undue hardship in the eyes of the Department of Labor.

Non-uniformed employees, under normal circumstances, are not allowed to accumulate more than 80 hours of compensatory time. Requests for employees to accumulate balances in excess of 80 hours (civilians only) may be forwarded to the Director of Human Resources. The request must include the following information:

- Reason for the request; including, reasons why other means cannot be used to perform the work.
- Total amount of time the employee is expected to accumulate.
- Date by which the employee's balance will be reduced to 80 hours.

Request will only be approved in unusual circumstances. Agencies should manage work to minimize overtime, either cash or compensatory time.

1. **FLSA Overtime** – Classifications that are nonexempt from the provisions of FLSA must be paid overtime if they actually work more than:
  - A. 40 hours/week (non-uniformed employees).
  - B. 171 hours/28 days (sworn police).
  - C. 159 hours/21 days (uniformed fire).

### **Exceptions:**

- Non-uniformed employees may accumulate up to 80 hours of compensatory time before cash must be paid for overtime hours worked.



## 6.10 OVERTIME: (Continued)

**Note:** Employees working overtime in special assignment (S/A) status receive cash compensation for the S/A pay at the appropriate overtime rate even if the overtime hours worked are paid in comp time. This cash compensation is awarded in the same pay period as it was earned.

- Uniformed police personnel may accumulate up to 480 hours of compensatory time (beginning April 15, 1986, and excluding comp time earned prior to April 15, 1986) before overtime must be paid in cash. The 480 hours does not include comp time earned for holiday repay purposes.
- Uniformed fire personnel may accumulate up to 96 hours (80 hours for 40 hour/week personnel) of compensatory time before overtime must be paid in cash. The 96 (or 80 hours) comp time does not include comp time earned for holiday repay purposes.

**Earning Rate:** Overtime paid in cash under FLSA shall include  $1\frac{1}{2}$  x the employee's base hourly rate or temporary transfer rate (if applicable) plus  $1\frac{1}{2}$  x special assignment pay and/or shift differential (if applicable).

### 2. Supplemental Jobs/Joint Employment:

- A. Full-time employees may hold second, supplemental jobs with the City without incurring overtime. The supplemental job must consist of different duties than the primary job and must be sporadic or occasional in nature.
- B. Full-time employees may also volunteer to perform additional services for the City as long as such services are not of the same type as those for which the individual is employed.
- C. Special detail work for uniformed fire and police personnel is exempt from overtime as long as the work is performed at the employee's option. This is true even if the public agency acts as an intermediary for the outside employer.

### 3. Contractual Overtime:

- A. **Exempt employees:** Exempt employees who are members of a bargaining unit earn overtime in accordance with their applicable labor-management agreement.
- B. **Non-exempt employees:** Non-exempt employees who are members of a bargaining unit earn overtime in accordance with the appropriate labor-management agreement if they have not actually worked beyond the number of hours indicated in #1 above.

## 6.10 OVERTIME: (Continued)

- C. **Contractual provisions:** Contractual provisions on overtime that do not conflict with FLSA (such as double time for hours worked on the employee's second off day) remain in effect under all circumstances. (See the appropriate labor-management agreement for details).
  - D. **Excused Absence After Overtime Period:** If less than eight hours separate the end of an overtime period and the beginning of an employee's next shift, the agency head determines whether the employee will work the regular shift. If the employee is ordered to work but feels unable to do so, he must notify his supervisor before leaving at the end of the overtime period. In either case, the employee is excused without penalty but without pay. The employee may use vacation or compensatory time to receive pay for the next shift.
4. **Overtime for Exempt Management:** These employees are exempt from the overtime provisions of FLSA.
- A. **Divisions 0 and 9:** Exempt employees in this salary division may be compensated in cash if the employees they are supervising are paid in cash for overtime; otherwise they can receive compensatory time.

### General Rule:

- Work performed in excess of eight (8) hours in any one day shall be compensated at the rate of time and one-half. For Division 0 and 9 working a flexible schedule, time and one-half (1½) is only paid after working 80 hours.
- Work performed on the sixth day of the employee's work week or the employee's first off day shall be compensated at time and one-half, unless the employee has not been in a pay status (e.g., leave without pay or suspension) for forty (40) hours that week. In such cases he receives straight time for the first forty (40) hours of the week and time and one-half for the balance.
- Work performed on the seventh day of the employee's work week or the second off day, shall be compensated at the rate of double time.
- Work performed on a legal holiday, or the day observed as such, but not both shall be compensated in cash at double time in addition to the regular pay for the holiday.

**Exceptions:** Agencies may establish a more flexible work schedule that is consistent with the requirements of Section 6.8.

## 6.10 OVERTIME: (Continued)

- B. **Division 5:** Not eligible for overtime compensation.
- C. **Division 8:** Eligibility for overtime compensation is based on meeting all of the following criteria:
  - A. The work is determined by the agency head to be of a critical nature; and
  - B. The time is approved by the agency head.

All hours worked are compensated at straight time rates. Public Health Physicians are not eligible for overtime compensation.

- D. **Accumulation of Compensatory Time:** No employee is allowed to accumulate more than 80 hours of comp time. Exceptions can be made only in the most unusual circumstances and with the approval of the Human Resources Department or as previously noted.
4. **Overtime for Division 4 (Hourly):** Division 4 employees cannot work more than 1,560 hours in any calendar year. Non-exempt Division 4 employees (Code N in the Salary Schedule) are paid straight hourly rates for all hours worked, up to 40 in one week and time and a half for all hours over 40 in one week. Exempt Division 4 employees are paid straight hourly rates for all hours worked. Division 4 employees are not entitled to fringe benefits.

## 6.11 SALARY DECREASE: The salary of an employee may be decreased under the following circumstances:

1. **Corrective Action Reasons:** The appointing authority may reduce an employee's compensation to any lower step in the pay range for corrective action reasons and/or poor performance.
2. **Reassignment for Medical Reasons:** An employee who is no longer able to perform his job but is qualified for another classification, may (with the approval of the Civil Service Commission) be reassigned to that classification. His rate of pay remains the same if the new classification contains such a rate; otherwise, it is set at the next lower rate than his previous compensation. He may continue his retirement contribution based on his higher previous salary and, upon retirement, get credit for that salary.
3. **Voluntary/Involuntary Demotion:** If an employee is demoted (with the approval of the Civil Service Commission), his rate of pay remains the same if the newer classification contains such a rate; otherwise, it is set at the next lower rate than his rate before demotion. However, no employee can be placed on a salary step in the lower classification

**6.11 SALARY DECREASE: (Continued)**

which is higher than the step he would have been on had he never left that lower classification. He may, under some circumstances continue his retirement contribution based on his higher previous salary and, upon retirement, get credit for that salary. The City's Retirement Office should be consulted for applicability in each case.

4. **Salary Decrease Because of Promotion:** In some cases, employees may accept promotions off of an eligible list to positions which pay less than their current salaries. If such an employee requests a voluntary demotion to the original classification, the salary is what he would have received had he never left the position.

**6.12 FLUCTUATION IN SALARY:** An employee's salary may fluctuate from one pay period to the next due to hours worked in a special assignment, overtime, or being in a pay status only part of the pay period.

## **CHAPTER 7 – ON-THE-JOB-INJURIES**

**7.1 IWP (INJURY WITH PAY):** Employees who are off work due to an on-the-job-injury may be eligible for continuation of their salary under the following conditions (Refer to AFSCME Agreement for additional procedures for Bargaining Unit employees.):

1. Must be a full-time (3/4 time or more) permanent or provisional employee. Seasonal employees, students, temporary, emergency, or unclassified casual appointments are not eligible. IWP is not paid if the employee is incarcerated for any reason.
2. IWP must be recommended by the Department and approved by the Office of Risk Management. (See Subsection 4 below.)
3. IWP may be paid up to a maximum of one year (two years if a bed patient in a hospital). Employees who are legitimately injured on the job should be allowed to remain on IWP as long as there is a reasonable prospect of their being able to return to work within the one year maximum limit. If at any time during that year it becomes evident (as determined by a physician) that the employee will not be able to return to work within one year from the date of injury, then the procedure for medical separation or disability retirement should be initiated.
4. **Treatment and Evaluation of Injured Employees:**
  - A. Injured employees must be sent to the Employee Health Service (EHS) as soon as practicable after the injury.
  - B. The treating physician (if other than the City Physician) must complete Form 30-S Attending Physicians Report and forward it to the EHS. The City Physician may then wish to examine and evaluate the employee.
  - C. The Department must send its recommendation on IWP to the Office of Risk Management on Form 74-S IWP Recommendation including any medical information such as physician's statements they have on file.
  - D. It is not required that the City Physician examine an employee before he returns to work if he has been released by the treating physician. However, a department may schedule such an examination by contacting the EHS directly.

## **7.1 IWP (INJURY WITH PAY): (Continued)**

### **5. Recording IWP on Payroll):**

- A. Injury with pay is coded separately using the code for Police and Fire and for non-uniformed personnel.
- B. Non-uniformed employees do not accumulate vacation or sick leave credits while on IWP. Uniformed employees do not accumulate sick leave but do accumulate vacation credits while on IWP.

## **7.2 WORKERS' COMPENSATION:**

- 1. Any City employee injured on-the-job should apply for Workers' Compensation. Departments should inform their employees injured on the job about the appropriate procedures for Workman's Compensation. Determinations of eligibility are made by the State of Ohio and do not affect the City's decision on whether to grant IWP benefits.
- 2. The Division of Risk Management is the City's official representative in matters before the Bureau of Workers' Compensation. All forms, communications and questions concerning such matters should be referred to the Risk Manager.
- 3. The employee's attendance at a hearing with the Industrial Commission will be recorded as being on City time for payroll purposes.

## **7.3 REPORTING INJURIES AND/OR VEHICLE ACCIDENTS:**

In order to determine the extent of the City's accidental loss problem, the Division of Environmental Safety/City Manager's Office requires that the following form be used to report employee injuries and vehicle accidents. This form is available from Stores.

- Form 91-S Supervisor's Investigation Report: Employee Injury

Contact the Division of Environmental Safety, or the Office of Risk Management for clarification or additional information.

## **CHAPTER 8 – SEPARATION FROM PAYROLL**

Separations for disciplinary reasons or due to retirement are discussed elsewhere in this manual. See index for chapter and page number.

### **8.1 SEPARATION FOR MEDICAL REASONS:**

1. **An employee may be separated for medical reasons under any of the three circumstances:**
  - A. If the treating physician states that the employee will not be able to return to work and perform the full range of duties due to medical reasons.
  - B. If the treating physician does not know and cannot give any estimate as to when the employee may be able to perform the job again.
  - C. If the City Physician does not feel that the employee will be able to return to work and perform the full range of duties within the foreseeable future.
2. **Notification Procedure:**
  - A. The employee must be notified in writing by registered mail, return receipt requested, that effective on a particular date they will be separated from the payroll for medical reasons. The letter must also inform them of their reinstatement rights, the ability to apply for disability retirement, or accommodation under ADA, as outlined below.
  - B. **Reinstatement Rights:** Non-uniformed employees are entitled (under state civil service law) to reinstatement to their former classification within three (3) years of their date of separation if the City Physician verifies that they are once again medically able to perform the full range of duties.
  - C. **Disability Retirement:** The letter must state that the employee contact the City Retirement Office if he has enough years of retirement service credit to qualify for disability retirement (a minimum of five (5) years service for non job related disability.) If after talking with the Retirement Office they decide to pursue this possibility, they must be advised to notify their employing agency so that the agency can delay the medical separation until a decision is made by the Retirement Board. The Retirement Office will also notify the employing agency that the person has applied for disability retirement.

Employees in the State of Ohio Public Employees Retirement System must be instructed to contact the PERS Office in Columbus.

## **8.1 SEPARATION FOR MEDICAL REASONS: (Continued)**

Uniformed employees must contact designated individuals within their own agency rather than the City Retirement Office.

- D. Americans With Disabilities Act (ADA):** The letter must include information that the employee may contact the ADA Coordinator of the Human Resources Department regarding the possibility of reasonable accommodation under the provisions of the ADA, a federal law. The employee should be informed of this option as early in the process of separation as possible. This will insure that adequate time is available to find a suitable accommodation. If the employee chooses to pursue this possibility, no action should be taken to separate the employee until the ADA review has been completed.

Note: If the application for disability retirement is not approved or the employee cannot be accommodated under the provisions of ADA, the agency may proceed to separate the employee for medical reasons. The employee may retain rights to appeal the separation to the Civil Service Commission. Please see the Commission rules regarding this issue.

No action should be taken to separate the employee until the issues of disability retirement and ADA placement have been resolved.

### **3. Separation from Payroll:**

Correspondence from the agency head to the employee notifying the employee of separation must be prepared. This correspondence must include an approval line for the Human Resources Director's signature. Once approved by the Human Resources Director the correspondence must be sent via registered mail to the employee. Separation from the payroll will be initiated by the payroll clerk in CHRIS.

## **8.2 SEPARATION FOLLOWING DEATH OF AN EMPLOYEE:**

### **1. Separation from Payroll:**

Initiated when the agency payroll clerk indicates in the CHRIS System that the employee has died.

### **2. Release of Final Paycheck:**

"Guidelines for Distribution of Pay of Deceased Employees" details the documentation required by the Treasurer's Office of the Finance Department before releasing a deceased employee's paycheck. Contact the Finance Department for details concerning this Section.



**8.2 SEPARATION FOLLOWING DEATH OF AN EMPLOYEE: (Continued)****3. Longevity Pay:**

The Accounts and Audits Division of the Finance Department computes the longevity pay as part of the lump sum payment that is issued as a separate check. This check is normally issued in the pay period following the employee's death.

**4. Death and Survivor's Benefits:**

Refer to Chart VIII for a description of death and survivor benefits. This benefit is applicable to all members of the City Retirement System. If the employee's death occurs before retiring from City service, the employee's immediate supervisor or division head shall promptly notify the Retirement Office. The Retirement Office will promptly inform the survivor(s) in writing of applicable death and survivor benefits. The survivor(s) are encouraged to contact the respective persons/agencies listed in the chart.

Additional benefits through the Police and Fire retirement system are paid to survivors of uniformed employees.

**5. Life Insurance:**

Divisions 0 and 8 have life insurance paid by the City.

Division 1 employees have a term life insurance policy that is explained in a benefit booklet issued by the Health and Welfare Fund. Questions should be directed to the administrator of the Fund at the offices of AFSCME, Ohio Council 8.

**8.3 SEPARATION FOLLOWING RESIGNATION:****1. UNUSED VACATION:**

Any remaining hours should be "lumped out" in a cash payment for the amount earned as of the last day worked. Employees should not be permitted to "run out" their balance which allows them to earn additional vacation.

**2. LONGEVITY PAY:**

The amount is prorated based on the number of completed months actually worked provided that proper notice of resignation is given.

### **8.3 SEPARATION FOLLOWING RESIGNATION: (Continued)**

#### **3. SICK LEAVE BALANCE:**

No conversion or sell back of accumulated but unused sick leave is permitted.

#### **4. COMPENSATORY TIME:**

Any remaining hours should be paid, in a lump cash payment, to the leaving employee.

## **CHAPTER 9 – TECHNOLOGY**

### **9.1 INTERNET ACCESS AND ELECTRONIC MAIL POLICY:**

The following guidelines were established for Internet access and electronic mail exchange over the City of Cincinnati's Wide and Local Area Networks.

1. **Definitions**
  - A. **Internet Access:** The ability for any personal computer to connect with the worldwide network of computers known as the Internet and to access Internet-based applications such as Newsgroups, Gopher, File Transfer Protocol (FTP), Telnet, Wide Area Information Services (WAIS) or the World Wide Web (www or web).
  - B. **Electronic Mail (E-mail):** Network of computer hardware and software that permits the sending and receiving of electronic messages from one personal computer to another.
2. **Privacy:** The City of Cincinnati respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of government owned equipment or supplies. This includes the components that permit City employees to connect to the Internet and to utilize the e-mail system.
3. **Security:** The Internet and electronic messaging are not secure. Employees should assume that all transmissions over the Internet via e-mail or other means are publicly available information that can be intercepted by individuals other than the intended recipients(s). To promote security, employees should refrain from sharing passwords or other access codes with non-authorized individuals. Each City employee is responsible for actions conducted under his or her e-mail name or Internet account.
4. **Right to Access Information:** All Internet access and e-mail routing is logged and considered public information. The City's Internet connection and e-mail network are property of the City of Cincinnati and therefore are under the control of City management. This includes the contents of all e-mail messages, which are subject to management review at anytime, for any reason, without prior consent. Management has the right to revoke the Internet or e-mail privileges of any individual for any reason.
5. **Personal Use of Resources:** Internet connectivity provides City employees with access to information resources that can be used in the fulfillment of their job responsibilities. Likewise, the City's enterprise e-mail system provides access to external information providers in

## 9.1 INTERNET ACCESS AND ELECTRONIC MAIL POLICY: (Continued)

addition to promoting communication among employees. All systems are intended for official government use, similar to the City telephone system.

6. **Appropriate Use/Representation:** Use of the Internet and e-mail network for pursuit of City goals, objectives, and activities is authorized. The City of Cincinnati encourages employees to use the Internet and e-mail network for professional activities and career development. Employees are responsible for adhering to all established Internet and e-mail customs, rules and guidelines. At no time should any user access files or information other than their own private directories or areas/files that have been identified as publicly available.

Each user should properly identify himself/herself when using any Internet service. All persons accessing the Internet or the City e-mail system should be aware that they are representing the City of Cincinnati and that what they say may be interpreted as a City of Cincinnati opinion or policy.

7. **Inappropriate Use:** The City's Internet connection or e-mail system may not be used in any way that may seem as insulting, disruptive, or offensive by other persons, or harmful to employee moral. Examples of inappropriate uses include, but are not limited to:
  - A. Sexually explicit or obscene materials or remarks.
  - B. Profane or vulgar language.
  - C. Any comments or materials that may be construed as discriminatory, insulting or defamatory to others.
  - D. Messages containing unwelcome propositions or love letters.
  - E. Chain letters or other mass electronic mailings.
  - F. Use of the system for political campaigns, endorsements, opinions or any other political activity, where citizens at large vote.
  - G. Solicitation of funds for commercial, personal, religious or charitable causes not sponsored by the City.
  - H. Promotions of social functions, parties or other non-job related activities.
  - I. Personal use on City time.
  - J. Use that does not meet the primary goals or interest of the City of Cincinnati.
8. **Violations:** Violation of these guidelines can result in disciplinary action, up to and including dismissal.

## **CHAPTER 10 – EXIT INTERVIEW**

### **10.1 POLICY:**

All voluntarily separating full-time employees shall receive notification that they may participate in an exit interview prior to leaving City service. The exit interview should be coordinated by department personnel responsible for personnel issues.

For employees dismissed for disciplinary reasons or criminal charges, no exit interview is necessary.

The respective Department shall keep the exit interview form in the departing employee's personnel file and also send a copy of the exit interview form to the Department of Human Resources. The Department of Human Resources shall input the information into a database. Information shall be distributed to departments on a semi-annual basis. The Department of Human Resources will utilize the information to identify areas in need of improvement and study potential training opportunities to address these needs.

### **10.2 PURPOSE:**

Exit interviews are an important part of the employment process. The exit interview has had as its primary purpose the resolution of unresolved and/or outstanding issues of both the employer and employee. One of the primary reasons for the interview has often been to determine the reasons for the individual's resignation. Employees usually do not burn bridges, and are often less than truthful in the reasons for leaving, but often the employee is candid in his or her responses. Exit interviews reveal information about the types of people who leave as well as the reasons why people are departing. When the reasons are well known, such as a health problem or reassignment of a spouse, the exit interview maybe less critical. However, they all have the potential of providing valuable information for future study of the organization.

The sole purpose of an exit interview process should be to improve the organization. A well executed exit interview process helps management determine what may be lacking in the organization, particularly when there are repeated references to the same issues. This is also the time when many employees are willing to point at deficiencies in the organization. An organization will use these responses to look into the issues and make corrections where the issues are found or known to be true.

Not often, but by no means rare, is the revelation that the employee has had issues for several months which he or she could not resolve and decided that it was better to leave quietly. Hopefully, these issues can be resolved. It is less costly to retain a good employee than to find a replacement.

**10.2 PURPOSE: (Continued)**

Properly handled exit interviews will help the organization discern patterns regarding the types of people who are most likely to leave and why. This information may lead to reviews of the techniques used in pre-employment interviews or training offered to new employees.

Information from the interview process should be compared with the performance appraisals in the employee's file. For example, in the employee's file, were there hints of an employee's dissatisfaction? If not, the internal appraisal system may not be effective.

When a person leaves because of a job offer from outside the organization, the organization should find out why the person was not offered a career plan that met their needs. It is costly for any organization to have good employees leave. An organization should learn why the employees leave and work to avoid future departures.

**10.3 NEUTRALITY:**

The purpose of an exit interview must be to learn how to improve the City, so the process should be conducted by a neutral party that the departing employee trusts. One hurdle that must be overcome in almost every situation is to ensure that, no matter what the individual states, there will be no retaliatory action for his or her perceptions of the "truth." To ensure future cooperation from departing employees, no action should be taken against employees who discuss issues that they perceive to be factual.

The interviewer must be neutral and understanding of the employee's concerns. Departing employees are naturally concerned about references and, if they felt that the exit interview process might be used against them, they will not be candid. The interviewee may withhold important information that could be valuable.

To make employees comfortable with the process, the exit interview should be voluntary. The information collected should be disseminated only to those who need to know. The employee should be allowed to request that another person be present.

The exit interview should be a positive experience for the employer and employee. It is an opportunity to address issues that might not otherwise be addressed during the employee's career. An organization that recognizes the value of employee input on issues will use this opportunity for self-assessment and growth.

**10.4 PROCEDURE:**

1. Upon receipt of notice that an employee will depart City service, the department head or his/her representative shall notify the departing employee of the opportunity to participate in an exit interview.
2. Exit interviews shall be conducted by a department representative affiliated with personnel functions within the department.
3. The employee will be advised that the exit interview form (see Chart VII for availability) will become a part of their personnel file and will also be sent to the Department of Human Resources. The employee will be advised that the information provided is subject to Ohio public records and that their responses will not be confidential.
4. Compiled results of the exit interviews shall be distributed on a semi-annual basis.
5. The identification of exit information trends shall result in appropriate discussions.

**CHART I****PERSONNEL DIRECTORY****TELEPHONE LINE**

General Information	352-2400
Telecommunication Device for the Deaf (TDD)	352-2419
Jobs Hotline	352-2489 (CITY)
Director of Human Resources	352-2443
Assistant Director	352-2438
Americans with Disabilities Act (ADA)	352-2411
CHRIS	352-3471
Civil Service Commission	352-2428
Classification/Compensation	352-2438
Eligible List Certification	352-2422
Employee Relations	352-2411
Human Resource Development Academy	352-6239
Labor Relations	352-2444
Testing	352-2428



**CHART II****EMPLOYEE BENEFITS BY TYPE OF APPOINTMENT  
AND PERCENTAGE OF WORK TIME**

<b>PAGE NUMBER</b>	<b>BENEFIT</b>	<b>CLASSIFIED AND UNCLASSIFIED FULL-TIME 75% AND HIGHER</b>	<b>PART-TIME LESS THAN 75%</b>	<b>STUDENT</b>	<b>DIVISION 4</b>	<b>TEMPORARY AND EMERGENCY</b>
3-2	Holidays	Yes	*2	No	No	No
3-4	Vacation	Yes	No	No	No	No
3-6	Sick Leave	Yes	No	No	No	No
3-21	Longevity	*3	No	No	No	No
3-1	Health Insurance	Yes	No	No	No	No
3-23	Retirement	Yes	Yes	Yes	Yes	Yes
CSC Rule XVI	Promotional Exam Eligibility	*4	*4	No	No	No
6-1	Salary Step-Ups	*3	*3	No	*3	No
3-24	Tuition Reimbursement	Yes	No	No	No	No
7-1	Injury With Pay Leave	*5	No	No	No	No
7-2	Worker's Compensation	Yes	Yes	Yes	Yes	Yes
3-27	Unemployment Compensation	*6	*6	*6	*6	*6
3-20	Military Leave With Pay	Yes	*7	No	*7	No
3-26	Deferred Compensation	Yes	Yes	Yes	Yes	No
See Index	PEAP Services	Yes	Yes	Yes	Yes	Yes
3-26	Credit Union	Yes	Yes	Yes	Yes	Yes
6-1	Charitable Donation Payroll Deduction	Yes	Yes	Yes	Yes	Yes
	Union Contract Union Payroll Ded.	Yes	Yes	No	No	No

\*See explanations on the next page.

**CHART II****EMPLOYEE BENEFITS BY TYPE OF APPOINTMENT  
AND PERCENTAGE OF WORK TIME (Continued)**

- #1 Includes: Permanent Civil Service, Provisional Civil Service, Regular Unclassified and Council Aides in Division 6 of the Salary Schedule unless otherwise noted. Full-time refers to employees working  $\frac{3}{4}$  time (75%) or more; part-time are employees working less than  $\frac{3}{4}$  time (75%) or less.
- #2 Depends on work schedule. See Section 3.2 for details.
- #3 Yes, except for employees in Division 3 of the Salary Schedule and as noted in Section 3.5 and union contracts.
- #4 Permanent and Seasonal Civil Service employees only.
- #5 Must have completed their probationary period.
- #6 Eligible to apply but not necessarily qualified to receive benefits.
- #7 Eligible for military leave without pay (without the training pay differential).
- #8 Yes, except for the birthday holiday and for those in Division 4 of the Salary Schedule.

**CHART III****DIFFERENCES IN SELECTED EMPLOYEE BENEFITS  
BY DIVISION OF THE SALARY SCHEDULE**

<b>BENEFIT</b>	<b>SALARY DIVISION</b>						
	<b>0&amp;9</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>7</b>	<b>8</b>
<b>1. OVERTIME</b>							
Earned at 1 ½ or 2x in cash or comp time	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>			
Earned at straight time or comp time only						<b>x</b>	<b>x</b>
Call Back Pay		<b>x</b>	<b>*2</b>				
Early Call Out Pay		<b>x</b>					
Holiday Pay in Cash		<b>x</b>		<b>x</b>			
No Overtime					<b>x</b>		
Comp Time Sell Back			<b>*2</b>				
<b>2. GRIEVANCE PROCEDURE</b>	<b>*8</b>	<b>*3</b>	<b>*3</b>	<b>*3</b>	<b>*8</b>	<b>*8</b>	<b>*8</b>
<b>3. HOLIDAYS</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Employee Birthday		<b>x</b>		<b>x</b>			
Comp Time in Lieu of Holidays			<b>x</b>				
<b>4. HEALTH INSURANCE</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
AFSCME Health & Welfare Fund		<b>x</b>					
Guardian Dental & Eye Care	<b>x</b>			<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Police Plan			<b>*2</b>				
Fire Plan			<b>*4</b>				
<b>5. LONGEVITY PAY</b>			<b>*3</b>				
\$250 – 300 – 350		<b>x</b>					
\$275 – 325 – 375	<b>*7</b>				<b>*7</b>	<b>*7</b>	<b>*7</b>
<b>6. SHIFT DIFFERENTIAL</b>	<b>6</b>	<b>*3</b>	<b>*2&amp;3</b>				
<b>7. TEMPORARY TRANSFER PAY</b>		<b>*3</b>	<b>*3&amp;4</b>				
<b>8. TEMPORARY PROMOTION</b>	<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>	<b>x</b>
<b>9. DEATH BENEFITS</b>							
Total Sick Leave Conversion	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Death Bene fit			<b>x</b>				
<b>10. IWP</b>		<b>*3</b>	<b>x</b>				
<b>11. UNIFORMS</b>							
Allowance		<b>*5</b>					
Furnished		<b>*3&amp;5</b>	<b>x</b>				
<b>12. SPECIAL ALLOWANCES</b>							
Service Requirement			<b>*4</b>				
Police Surveillance			<b>*2</b>				
<b>13. PROMOTIONAL LISTS</b>							
Choice of Three (Employing Unit)	<b>x</b>				<b>x</b>		<b>x</b>
Appointment of No. 1		<b>x</b>	<b>x</b>	<b>x</b>			

\*See explanations on next page

**CHART III****DIFFERENCES IN SELECTED EMPLOYEE BENEFITS  
BY DIVISION OF THE SALARY SCHEDULE (Continued)**

<b>BENEFIT</b>	<b>0&amp;9</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>7</b>	<b>8</b>
<b>14. RECALL FROM LAYOFF LIST</b>							
One Year	<b>x</b>	<b>x</b>					
Three Years			<b>x</b>				
<b>15. SICK LEAVE BUY BACK</b>	<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>	<b>x</b>

#1 Vacation – See Chart V.

#2 Police only.

#3 See labor management agreement for details.

#4 Fire only.

#5 Selected classifications only.

#6 Division 0 employees supervising shift work of Division 1 employees.

#7 Employees hired 1/1/85 or after are not eligible for this benefit.

#8 Administrative Regulation 36, “Resolution of Employee Concerns”.

**CHART IV****CONDITIONS OF EMPLOYMENT BY TYPE OF APPOINTMENT**

	Civil Service Permanent	Civil Service Provisional	Unclassified Regular	Student	Co-op	Seasonal	Temporary	Emergency	Other Unclassified Casual
Appt. from CSC Eligible List	Yes	No	No	No	No	*2	Yes	No	No
Code of Ethics	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Income Tax Deductions	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Outside Work Policy	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No
Performance Ratings	Yes	Yes	Yes	1	1	3	Yes	No	No
Pre-Employ- ment Physical Examination	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

See explanations on page following Chart IV

**CHART IV****CONDITIONS OF EMPLOYMENT BY TYPE OF APPOINTMENT (Continued)**

	Civil Service Permanent	Civil Service Provisional	Unclassified Regular	Student	Co-op	Seasonal	Temporary	Emergency	Other Unclassified Casual
Political Activities Constraint	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Probationary Period	Yes	*6	*1	*1	No	Yes	*4	No	No
Hamilton Co. Residence Requirement	*9	*9	*9	Yes	Yes	Yes	Yes	Yes	Yes
Right of Appeal to CSC from Dismissal	Yes	*7	No	No	No	*3	*5	No	No
Grievance Procedure	*8	*8	*8	No	No	No	No	No	*8
Employee ID Card	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No

See explanations on page following Chart IV

**CHART IV****CONDITIONS OF EMPLOYMENT BY TYPE OF APPOINTMENT (Continued)**

See explanations for Chart IV below

- #1. Not required by CSC but can be utilized.
- #2. An eligible list is not required but can be used.
- #3. Only if appointed from an eligible list.
- #4. Required for temporary appointment; new probation required if made permanent.
- #5. Except an expiration of appointment.
- #6. Yes, service as provisional included in probation if made permanent.
- #7. Yes, except when eligible list is certified.
- #8. Employees in Division 1, 2 and 3.
- #9. Yes, except that employees in Division 5, Police and Fire Chiefs and Division Heads must reside within Cincinnati. See Administrative Regulation 44, "Residency of City Employees".

**CHART V****VACATION ACCRUAL, USAGE AND BALANCE RATES**

	<b>Division 0, 5, 7, 8</b>			<b>Division 1, 3</b>				<b>Police</b>				<b>Fire (48 hr/wk)</b>			<b>Fire (40 hr/wk)</b>		
<b>SENIORITY</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>A</b>	<b>B</b>	<b>C<sub>1</sub></b>	<b>C<sub>2</sub></b>	<b>A</b>	<b>B</b>	<b>C<sub>3</sub></b>	<b>C<sub>4</sub></b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>A</b>	<b>B</b>	<b>C</b>
Less than 4 Years	3.7 Hours	12 Days	190 Hours	3.2 Hours	10 Days	182 Hours	165 Hours	3.4 Hours	89 Hours	267 Hours	178 Hours	3.7 Hours	4 Tours	290 Hours	3.2 Hours	10 Days	250 Hours
4 Years up to 9 <sup>th</sup> anniversary	5.0 Hours	16 Days	270 Hours	4.0 Hours	13 Days	237 Hours	215 Hours	4.4 Hours	115 Hours	345 Hours	230 Hours	4.8 Hours	5 Tours	370 Hours	4.0 Hours	13 Days	315 Hours
9 Years up to 14 <sup>th</sup> anniversary	5.6 Hours	18 Days	305 Hours	4.6 Hours	15 Days	275 Hours	250 Hours	5.0 Hours	131 Hours	393 Hours	262 Hours	5.5 Hours	6 Tours	430 Hours	4.6 Hours	15 Days	360 Hours
14 Years up to 19 <sup>th</sup> anniversary	6.5 Hours	21 Days	350 Hours	5.6 Hours	18 Days	330 Hours	300 Hours	5.9 Hours	154 Hours	462 Hours	308 Hours	6.6 Hours	7 Tours	515 Hours	5.6 Hours	18 Days	440 Hours
19 Years up to 24 <sup>th</sup> anniversary	7.4 Hours	24 Days	395 Hours	6.2 Hours	20 Days	363 Hours	330 Hours	7.4 Hours	193 Hours	587 Hours	394 Hours	8.5 Hours	9 Tours	667 Hours	7.1 Hours	23 Days	556 Hours
24 Years and Up	9.0 Hours	29 Days	480 Hours	7.7 Hours	25 Days	451 Hours	410 Hours	7.4 Hours	193 Hours	587 Hours		8.5 Hours	9 Tours	667 Hours	7.1 Hours	23 Days	556 Hours

Note: Vacation accruals and maximums for employees that retired from the sworn service and are rehired as non-sworn Division 1 and Division 0.

Vacation: Increase in vacation based on seniority begin in the pay period that includes the first day in the anniversary month.

Key: Column A – Vacation hours earned per pay period.

Column B – Vacation days (Fire – 24 hour tours) that should be taken each year.

Column C – Maximum allowable balance of accrued vacation hours.

Column C<sub>1</sub> – Maximum allowable balance of accrued vacation hours for Division 1 employees.

Column C<sub>2</sub> – Maximum allowable balance of accrued vacation hours for Division 3 employees.

Column C<sub>3</sub> – Maximum allowable balance of accrued vacation hours for sworn Police employees hired on or before 7/1/97.

Column C<sub>4</sub> – Maximum allowable balance of accrued vacation hours for sworn Police employees hired after 7/1/97.



**CHART VI****DIRECTORY OF FORMS**

<b>SUBJECT</b>	<b>FORM</b>	<b>TITLE OR DESCRIPTION</b>	<b>SOURCE</b>
Appointments & Changes	8-S	Requisition, Certification and Appointment	Purchasing
Appointments & Changes	OD4S 7048 12/95	State of Ohio New Hire Reporting	Human Resources
	I-9 (03/20/87)	Employment Eligibility Verification	Purchasing
Attendance	CS-8	Certificate of Military Training Pay	Human Resources
	25-S	Application for Leave of Absence	Purchasing
	*	Terminal Leave – Lump Sum Payment	Human Resources
	3-S	Changes in Vacation, Sick Leave & Leave W/Out Pay	Purchasing
	68-S	Payroll Record of Comp Time Earned	Purchasing
	69-S	Payroll Record of Comp Time Balance	Purchasing
Credit Union	*	For information and forms, Contact appropriate credit Union	Non-Uniform Police Fire
Disciplinary	32-S	Notice of Disciplinary Action Separation or Layoff	Purchasing
	66-S	Official Reprimand	Purchasing
Hospital Care	*	Health Insurance Application for Anthem Blue Cross/Blue Shield and Guardian membership - all plans Applications and changes	Risk Management or citynet.rcc.org

**CHART VI****DIRECTORY OF FORMS (Continued)**

<b>SUBJECT</b>	<b>FORM</b>	<b>TITLE OR DESCRIPTION</b>	<b>SOURCE</b>
Hospital Care (Cont'd)	GC8 (10-96)	Guardian Dental Claim Form	Risk Management or citynet.rcc.org
	GC-10-1 (7-94)	Guardian Vision Claim Form	
		AFSCME Health and Welfare Claim Forms	AFSCME 641-4111
Income Tax	W-2	Statement of Taxes Withheld	Finance
	W-4	Employee's Withholding Exemptions Cert.	Finance
Medical and Accident	A-63	Authority for release of Medical Information	Risk Management
	29-S	Pre-Employment Medical Evaluation Health Questionnaire	Purchasing
	30-S	Attending Physician's Report	Purchasing
	C-85A	Worker's Compensation Application to Reactivate Claim	Risk Management
	74-S	Injury With Pay Recommendation	Purchasing
	87-S	Medical Evaluation of Problem Employee	Purchasing
		Supervisor's Investigation Report: Vehicle Accident	Purchasing
	91-S	Supervisor's Investigation Report: Employee Injury	Purchasing
	92-S	Driver's Report of Vehicle Accident	Purchasing
	*	Employee Injury Packet	Risk Management
FMLA Form Medical and Accident	WH-380 March 1995	Certification of Health Care Provider (Family and Medical Leave Act of 1993)	Human Resources

**CHART VI****DIRECTORY OF FORMS (Continued)**

<b>SUBJECT</b>	<b>FORM</b>	<b>TITLE OR DESCRIPTION</b>	<b>SOURCE</b>
FMLA – Approval/ Disapproval Notice	FMLA HTML Form No. 1: 4/00	Employer Response to Employee Request for Family or Medical Leave	Human Resources □
FMLA – Dept/Div Notification	FMLA HTML Form No. 2: 4/00	Department/Division Notice to Employee - Absence	Human Resources □
Outside Work	28-S	Outside Work Notice	Purchasing
Performance		Annual Employee Performance Evaluation	Human Resources □
		Initial and Interim Performance Review	Human Resources □
	448	Police Performance Rating	Police
	21-A	Fire Performance Rating	Fire
	Booklet	Management Performance Evaluation Program	Human Resources
Retirement	1	Application for Membership	Finance
	9	Change of Beneficiary	Finance
	10	Return of Contributions upon Separation	Finance
	A Revised 11/91	PERS Personal History Record	Retirement
	98-S	Personal Data Authorization Form	Human Resources □
	L-2	Retirement Loan Application	Finance
Separation	32-S	Notice of Disciplinary Action, Separation or Layoff	Purchasing
Training	94-S	Request for Training	Purchasing
	95-S	Enrollment Request	Purchasing

**CHART VI****DIRECTORY OF FORMS (Continued)**

<b>SUBJECT</b>	<b>FORM</b>	<b>TITLE OR DESCRIPTION</b>	<b>SOURCE</b>
Miscellaneous	13-S	Telephone Memo "While you were out"	Purchasing
	17-S	Interdepartmental Correspondence Sheet	Purchasing
	23-S	Routing Slip	Purchasing
	27-S	Mileage Report	Purchasing

☐ Indicates that this form is available on the Human Resources Department's web page and can be obtained on the Intranet at [citynet.rcc.org](http://citynet.rcc.org) or on the Internet at [www.ci.cincinnati.oh.us](http://www.ci.cincinnati.oh.us)

**CHART VII****DIRECTORY OF PERSONNEL RELATED DOCUMENTS/SERVICES**

<b>TITLE OR DESCRIPTION</b>	<b>SOURCE</b>
Administrative Regulations	City Manager's Office ☐
Affirmative Action Plan	Administrative Hearings/EEO Officer
AFSCME Contract	Human Resources/Labor Relations ☐
Anthem Health Care Benefits Information	Finance/Risk Management/Medical Insurance
Building Trades Contract	Human Resources/Labor Relations ☐
Civil Service Rules	Human Resources/Civil Service ☐
Community Preferred	Finance/Medical Insurance
Ethics Is Everybody's Business	Law Department
Fire Contract	Human Resources/Labor Relations ☐
FOP Contract	Human Resources/Labor Relations ☐
Hearing Officer's Handbook	Human Resources/Labor Relations
Ohio Revised Code Chapters 124 & 143	Human Resources/Civil Service
Oral Exit Interview – Voluntary Separation	Human Resources/Civil Service ☐
Payroll Forms Manual	Human Resources/Records
PEAP General Information Folder	Health/PEAP
Personnel Policies and Procedures	Human Resources/Labor Relations ☐
Provisional Appointments	Human Resources/Civil Service
Salary Schedule	Human Resources/Compensation ☐
Supervisor's Guide: Employee Alcohol/Drug Abuse	Health/PEAP
Supervisor's Disciplinary Handbook	Human Resources/Labor Relations

☐Indicates that this form is available on the Human Resources Department's web page and can be obtained on the Intranet at [citynet.rcc.org](http://citynet.rcc.org) or on the Internet at [www.ci.cincinnati.oh.us](http://www.ci.cincinnati.oh.us).

**CHART VIII****DEATH & SURVIVOR BENEFITS UNDER VARIOUS RETIREMENT SYSTEMS**

	<b><u>POLICE</u></b>	<b><u>FIRE</u></b>	<b><u>AFSCME</u></b>	<b><u>NON-AFSCME</u></b>
<b>CITY OF CINCINNATI RETIREMENT SYSTEM (CRS)</b>			Return of contributions with interest and ½ year's salary	Return of contributions with interest and ½ year's salary
<b>CITY OF CINCINNATI RETIREMENT SYSTEMS (CRS) SURVIVOR BENEFITS</b>			Amounts vary depending on number of dependents. Maximum of \$427.50 per month	Amounts vary depending on number of dependents. Maximum of \$427.50 per month
<b>PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS)</b>			See PERS below	See PERS below
<b>POLICE &amp; FIRE DISABILITY PENSION FUND (PFDPF)</b>	See PFDPF below	See PFDPF below		
<b>MEMBERS OF THE FOP DEATH BENEFIT CLUB</b>	\$20,000 (amount may vary)			
<b>CITY OF CINCINNATI For active employees</b>	\$20,000	\$20,000		
<b>AFSCME INSURANCE</b>			Life insurance to designee	
<b>CITY OF CINCINNATI LUMP SUM</b>	All unused sick with pay, vacation, compensatory time and longevity pay	All unused sick with pay, vacation, compensatory time and longevity pay	All unused sick with pay, vacation, compensatory time and longevity pay	All unused sick with pay, vacation, compensatory time and longevity pay
<b>CITY FIREFIGHTER LOCAL 48</b>		\$1,500		
<b>FIREMAN'S PROTECTIVE ASSOCIATION</b>		\$15,000		
<b>STATE FOP</b>	\$2,000			
<b>CITY FOP</b>	\$1,500			
<b>OHIO BUREAU OF WORKERS COMPENSATION</b>	For a work-related death, the eligible survivor receives 66 and 2/3s of the employee's salary up to \$521.00 per week	For a work-related death, the eligible survivor receives 66 and 2/3s of the employee's salary up to \$521.00 per week	For a work-related death, the eligible survivor receives 66 and 2/3s of the employee's salary up to \$521.00 per week	For a work-related death, the eligible survivor receives 66 and 2/3s of the employee's salary up to \$521.00 per week

**CHART VIII****DEATH & SURVIVOR BENEFITS UNDER VARIOUS RETIREMENT SYSTEMS**

<b>POLICE &amp; FIRE EMPLOYEES KILLED IN THE LINE OF DUTY</b>	<b><u>POLICE</u></b>	<b><u>FIRE</u></b>	<b><u>AFSCME</u></b>	<b><u>NON-AFSCME</u></b>
	Eligible survivor receives the employee's full base pay minus the amount of the monthly PFDPF widow/widower check (currently \$410) until the employee would have been eligible for retirement. At the time the employee would be eligible for retirement, the eligible survivor receives a 50% annuity retirement and the surviving spouse benefit from the PFDPF	Eligible survivor receives the employee's full base pay minus the amount of the monthly PFDPF widow/widower check (currently \$410) until the employee would have been eligible for retirement. At the time the employee would be eligible for retirement, the eligible survivor receives a 50% annuity retirement and the surviving spouse benefit from the PFDPF		
	Police Division personnel will apply on behalf of the deceased employee to the U.S. Department of Justice Public Safety Officer's Benefits Act for benefits	Fire Division personnel will apply on behalf of the deceased employee to the U.S. Department of Justice Public Safety Officer's Benefits Act for benefits		
	<b>PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS)</b>		<b>POLICE &amp; FIRE DISABILITY PENSION FUND (PFDPF)</b>	
Qualified dependent(s) will be eligible to receive monthly survivor benefits if, at the time of death, the employee met at least one of the following qualifications:			The law provides for the division of the descendant's monthly "base pay" among eligible survivors according to the following rules. "Base pay" is the salary authorized by ordinance minus an amount equal to the benefits payable by PFDPF, PERS or CRS (currently \$410/month).	
1. had at least 18 full months of Ohio service credit with three of those months within two and one-half years immediately before death; or				
2. were receiving a disability allowance from PERS; or				
3. were eligible for retirement but did not retire and continued to work				
If the employee did not meet any of these requirements at the time of death, the beneficiary can receive a refund of the employee contributions paid into PERS.				
<b>NOTE: TAXES ON BENEFITS LISTED ABOVE ARE SUBJECT TO U.S. DEPARTMENT OF TREASURY INTERNAL REVENUE SERVICE (IRS) AND ANY OTHER APPLICABLE STATE AND LOCAL TAX REGULATIONS.</b>				
			Surviving spouse with no eligible children or one eligible child	Full base pay
			Surviving spouse with one eligible child	1/2 base pay to spouse 1/2 base pay to child
			Surviving spouse with two or more eligible children	1/3 base pay to spouse 2/3 base pay divided equally among children
			Two or more eligible children	Pay divided among children

**CHART VIII****DEATH & SURVIVOR BENEFITS UNDER VARIOUS RETIREMENT SYSTEMS****CONTACTS**

Survivors of City employees may contact the following persons and agencies with regard to additional survivor and death benefit information.

**CITY OF CINCINNATI  
RETIREMENT SYSTEM (CRS)**

Larry Farmer, Payroll  
City of Cincinnati  
Finance Department  
Room 206, City Hall  
801 Plum Street  
Cincinnati, Ohio 45202  
(513) 352-1934

**PUBLIC EMPLOYEE  
RETIREMENT SYSTEM (PERS)**

Keith Giles, Retirement  
City of Cincinnati  
Finance Department  
Room 240, City Hall  
801 Plum Street  
Cincinnati, Ohio 45202  
(513) 352-6288

Public Employee Retirement System  
277 East Town Street  
Columbus, Ohio 43215  
(614) 466-2085

**POLICE & FIRE DISABILITY  
PENSION FUND (PFDPF) \***

**For Police:**  
Sgt. Kerry Rowland  
Cincinnati Police Division  
310 Ezzard Charles Drive  
Cincinnati, Ohio 45214  
(513) 352-4561

**For Fire:**  
Lee Gill  
Cincinnati Fire Division  
430 Central Avenue  
Cincinnati, Ohio 45202  
(513) 352-6222

Police & Fire Disability Pension Fund  
140 East Town Street  
Columbus, Ohio 43215  
(614) 228-2975

**STATE & CITY FRATERNAL  
ORDER OF POLICE \***

Sgt. Kerry Rowland  
Cincinnati Police Division  
310 Ezzard Charles Drive  
Cincinnati, Ohio 45214  
(513) 352-4561

Keith Fangman, President  
Fraternal Order of Police  
Queen City Lodge #69  
1900 Central Parkway  
Cincinnati, Ohio 45214  
(513) 381-2550

Ohio Fraternal Order of Police  
222 East Town Street  
Columbus, Ohio 43215  
(800) 367-6524

**FIREFIGHTER'S UNION  
LOCAL 48 \***

Mark Sanders, President  
Firefighter's Union, Local 48  
213 West Ninth Street  
Cincinnati, Ohio 45202  
(513) 241-3541



**CHART VIII****DEATH & SURVIVOR BENEFITS UNDER VARIOUS RETIREMENT SYSTEMS****CONTACTS****SOCIAL SECURITY \***

Social Security Administration  
 Room 2000 Federal Building  
 550 Main Street  
 Cincinnati, Ohio 45202  
 (800) 772-1213

**FIREMAN'S PROTECTIVE ORGANIZATION \***

Bob Hesse, President  
 Fireman's Protective Association  
 P.O. Box 58161  
 Cincinnati, Ohio 45258  
 (513) 941-9609

**OHIO VICTIMS OF CRIME \***

Additional benefits MAY be  
 available by calling this number

(614) 466-6480

**OHIO BUREAU OF WORKERS COMPENSATION \***

Questions regarding workers  
 compensation may be directed to  
 the city and/or state

Chuck Haas, Risk Manager  
 City of Cincinnati  
 Finance Department  
 Room 240, City Hall  
 801 Plum Street  
 Cincinnati, Ohio 45202  
 (513) 352-3791

Ohio Bureau of Workers  
 Compensation  
 125 East Court Street  
 Cincinnati, Ohio 45202  
 (513) 361-8383

Benefits from agencies listed above that are marked with an asterisk (\*) are NOT administered by the City of Cincinnati or the Cincinnati Retirement System; therefore, the City cannot guarantee the provision of such benefits. Non-City benefits are based on information available to the City of Cincinnati.

**CHART IX****Modifications to Policies and Procedures manual  
Beginning October 1, 2001**

<b><u>CHAPTER</u></b>	<b><u>SEC #</u></b>	<b><u>SUBJECT</u></b>	<b><u>NEW LANGUAGE</u></b>	<b><u>PAGE</u></b>	<b><u>EFFECTIVE DATE</u></b>
Title Page		Dept. title change	Human Resources Dept.	Cover	10/01
3	3.3.6	Sickness on Vac.	Allows SWP-F hospitalization	3-7	10/01
3	3.4.4	Donated time	Allows use for SWP-F & SWP-D	3-9	10/01
Chart IX		Modifications	Addition	IX-1	10/01

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# **HUMAN RESOURCE POLICIES and PROCEDURES**



**Department of Human Resources  
Centennial Plaza Two  
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